Bombay Gazette.

Volume 34. Wednesday, August 20, 1823. No. 1733.

Govt. Advertisement.

POLITICAL DEPARTMENT,

JULY 4, 1823.

THE *Public are hereby informed, that the Government of Cochin China has officially communicated to the Agent of the Governor General, lately deputed to that Country, its consent to the admission of all British Vessels into the Ports of Sai-gun, Han or Turan, Fai-fo, and Hue, on the terms specified in the annexed translation of an official copy of the Cochin Chinese Tariffe, and Regulations of Trade, delivered to the Governor General's Agent.*

Translation of the Cochin Chinese Tariffe.

"These are the Regulations of Commerce for all Nations trading to the Kingdom of Cochin China.

FOR HUE.

Vessels of Canton[1], Chu-chao[2], Nam-hong[3], Wai-Chao, Suheng[4], To-Kein, Chi-Kang, and the Ships of the European Nations pay as follows.

Vessels measuring from fourteen to twenty-five cubits in the beam pay eighty-four Kwans per cubit. Vessels measuring eleven to thirteen cubits, fifty-four Kwans, from nine to ten cubits, forty-two Kwans, and from seven to eight cubits, twenty Kwans a cubit.

FOR SAI-GUN.

Vessels of Canton, Chu-Chao, Nam-hong, Wai Chao, Su-heng, To-Kein, Chi-Kang, (Tehe-Kian) and the ships of European Nations, pay as follows.

Vessels measuring from fourteen to twenty-five cubits pay one hundred and forty Kwans per cubit; from eleven to thirteen cubits ninety Kwans, and from seven to eight cubits thirty-five Kwans a cubit.

FOR THE PORT OF HAN.

Vessels of Canton, Chu-Chao, Nam-hong, Wai-Chao, Su-hang, To-Kein, Chi-Kong, (Tehe-Kian) and the ships of European Nations, pay as follows.

Vessels measuring from fourteen to twenty-five cubits in the beam pay one hundred and twelve Kwans a cubit; from eleven to thirteen cubits seventy-two Kwans; from nine to ten cubits fifty-six Kwans, and from seven to eight cubits twenty-eight Kwans.

1, 2, 3, 4. Provinces of Canton.

EXPORT DUTIES.

Cardamums, Pepper, Cinamon, Ivory, Rhinoceros' Horns, esculent Birds' Nests, Sapan Wood, Ebony and Rose Wood, pay a duty on every one hundred Kwans, of five Kwans.

Wood for Coffins or Ship-building, pay a duty of ten per Cent.

In passing the duties Spanish Dollars are received at the rate of one Kwan five Mas, and the silver currency of Cochin China at the rate of two Kwans and eight Mas, for each ingot. Payment of the duties may be made in silver or in the zinc Currency of the country, or partly in each at the option of the Merchant.

CONTRABAND ARTICLES.

The exportation of the Wood called Tetlan (a fancy Wood) and the Wood Nam (a perfumed Wood, used by the rich in making Coffins) is prohibited.

The exportation of the Gold and Silver ingots of the Country is also prohibited, as also of the seed called Suk, Rice, Sult, Copper, Zinc Coin, Agila Wood. The carrying off Men and Women from the Country is also prohibited.

Ships or Vessels paying the duties of one of the Ports enumerated are exempted during that Voyage from the payment of duties at any other, with the exception of export duties. This applies if they should stay a year on the Coast of Cochin China, provided that during that time they should not visit any other foreign Country.

The Seal of the First Minister."

A true Copy of a translation through the Malay.

(Signed)) J. CRAWFURD.

N. B. A Cochin Chinese cubit used in measuring the Ships and Vessels for the Tonage duty is equal to 16 inches English.

By Command of the Governor General in Council.

GEO. SWINTON,
Sec. to the Govt.

Calcutta Govt. Gazt.

Advertisement,

BY virtue of a writ of Excution issued from the Hon'ble the Court of the Recorder in the cause of JAMES GATHORNE REMINGTON, JAMES HENRY CRAWFOORD, &OTHERS carrying on Trade and business, in Co. partnership at Bombay under the firm of Messrs. REMINGTON CRAWFORD and Co. *Plaintiffs* against CHRISTOPHER BROWN BOYCE *Defendant*, I hereby require all persons indebted to the said CHRISTOPHER BROWN BOYCE forthwith to pay the amount of their Debts to me or I shall give instructions to my soliciter to proceed against them in the Recorder's Court.

HENRY GRAY,
Late Sheriff of Bombay.

BOMBAY,
2nd August 1823.

Burjorjee Framjee and Limjee Dadabhoy,

MOST respectfully beg to inform the Ladies and Gentlemen of the Presidency that they have opened for Sale for Ready Money only, in the Godown No. 6 of Henshaw's buildings opposite to Hormajee Bomanjee's Screws, the following Goods recently imported, namely.

Millinery, consisting of Flowers, Wreaths, Feathers, Gown Trimmings, Worked Muslin Flounces, Ribbons, Sarcenets, Satins, Pins, Needles, Thread, Bobbins, Tape, Lace, Shawls, Ladies Shoes, Children's Caps &c.

Perfumery, consisting of best double distilled Lavender Water, Milk of Roses, Essence of Peppermint, Smelling Salts, Essence of Jamaica Ginger, Turlingtons Balsam, Huile Antique à la Rose, Eau-de-Luce, Macassar and Russia Oil, Pomade Divine, Dressing and other Combs and Brushes of all Sorts.

Gentlemen's Superfine black Beaver Hats, a general Assortment of Hosiery and Stationary, Ladies Dressing Glasses with Mahogany Stands and Drawers, Sliding Do. and elegant Pier Glasses of different sizes.

A beautiful percussion single barrel Gun in Mahogany case by William Parker, a few Books consisting of the Loves of the Angels and other new publications.

ALSO

A Handsome new Bengal Buggy with Shifting Shafts, and Pole for use as a Curricle, a Europe Buggy Harness and Whips.

Bombay, 20th August 1823.

Mr. Fair

HAS FOR SALE

A FEW Cases of Butler's Claret at Rupees 30 per Dozen.

AND

A Few Cases of Vin de Grave and Barsac at Rupees 20 per Dozen.

Gazette Office, 13th August.

Burrowes's Encyclopedia.

OR

Dictionary

OF

ARTS, SCIENCE,

AND

Literature.

MR. ANDERSON has for Sale on Commission a Handsome Set of the above Work in 11 Volumes with Plates, half Bound in Russia, Price Rupees Two hundred and fifty (250). Orders from Outstations to be accompanied with a reference for the payment.

Bombay, 20th Agust 1823.

For Sale

AT

Framjee Cowasjee's

Office,

A FEW

WHOLE AND HALF CHESTS

OF

Carbonell's

CLARET

IMPORTED PER

Euphrates,

At 45 Rs. per Dozen

"TERMS CASH."

AND ALSO,

AN ASSORTMENT

OF

Patent Chain

CABLES

WITH APPARATUS,

FOR

SHIPS

FROM 30 TO 700 TONS

Measurement

For Particuler apply to the same Person.

(c) Bombay, 20th August 1823.

FOR SALE

On Commission,

AT

Kempt & Co's.

AUCTION ROOM

A FEW MEDICAL AND OTHER

BOOKS.

Bombay, 20th August 1823.

Kempt and Co.

WILL SELL

BY PUBLIC AUCTION,

THIS DAY

Wednesday, the 20th Instant,

To Close Several Accounts

3 Pipes

OF

BRONTI

MADEIRA,

A

QUANTITY

OF

FLANNEL

In convenient Lots,

EUROPE

SHAWLS,

Green Woollen

TABLE COVERS,

A CHEST OF

CUTTLERY,

An Assortment of

GLASS

And a Pair of

HANDSOME

Six Light

Chandeliers

WITH PLATE MOUNTINGS,

Bombay, 16th August 1823.

Kempt and Co.

WILL SELL

BY PUBLIC AUCTION,

On Saturday the 30th Instant,

A VALUABLE Collection of Engravings plain and coloured, many of them after Morland in very superior stile,

AND

Several copies of the New Novel "Valperga," or the life and Adventures of Castruccio Prince of Lucca, by the Author of Frankstei; published on the 19th of February 1823, with a variety of Class, and other Books, for Schools.

Catalogues of the above now in the Press.

Bombay, 9th August 1823.

Advertisement.

FOR SALE

AT THE

Gazette Office,

BLANK Bills of Exchange, Powers of Attorney, Interest and Respondentia Bonds, Policies of Insurance, Articles of Agreement between Master and Mariners, Bills of Lading, Boat Notes, &c. &c.

FOR

Light Freight and Passengers,

DIRECT TO CALCUTTA

THE FAST SAILING SHIP

NEPTUNE,

W. EDWARDS,—COMMANDER.

WILL Sail in all this Month. For particulars, apply at the Office of Messrs. JOHN LECKIE and CO. or the Commander on Board.

Bombay, 13th August 1823.

GENERAL ORDERS.

BOMBAY CASTLE, 8th August 1823.

By the Hon'ble the Governor in Council.

THE furlough granted to Lieutenant H. W. Hardy of the Regiment of Artillery on 20th May last, is extended to the 1st November next.

The Hon'ble the Governor in Council is pleased to confirm the following orders.

An Order by Major General Wilson dated 6th February last, directing Assistant Surgeon Pringle to

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

assume charge of the Medical duties of the Garrison of Broach on the departure of Assistant Surgeon Fraser to the Presidency on sick certificate.

An Order by Major General Sir Lionel Smith K. C. B. dated the 3d ultimo, appointing Serjeant James Farrar of His Majesty's 47th Regiment, a Staff Serjeant in the Engineer department at Poona, to take charge of the Military aqueducts and wells, during the residence of that Regiment at Poona, on the allowances of a Line Serjeant as fixed by Government.

A Battalion order by Major Morse Commanding the 1st Battalion 7th Regiment N. I. dated 6th November last, appointing Lieutenant Froward, to act as Adjutant to that Battalion until further orders.

BOMBAY CASTLE 9TH AUGUST 1823.

His Excellency the Commander in Chief having brought to the notice of the Governor in Council, the case of Jamadar Erappa of the 2d Battalion 9th Regiment N. I. with a recommendation for his removal from the effective strength of the Army, in consideration of the offences proved against him before a Native General Court Martial of which Subedar Major Doonac Gommanack of the 2d Battalion, 9th Regiment was President, and the notoriety of his character for intoxication and other disgraceful and irregular habits. The Governor in Council is pleased to remove the said Jemadar from the effective strength of the Army but in consideration of the length of his services is pleased to grant him the reduced pension of 12 Rupees per mensem.

The Hon'ble the Governor in Council is pleased to notify to the Army that however much disposed he may be to leave to Native Courts Martial the punishment of acts of delinquency, yet when a sentence is passed upon an offender quite inadequate to the crime of which he is found guilty and brought to the notice of the Hon'ble the Governor in Council by the Commander in Chief, the transgressor will not be suffered to continue in the ranks of the Army to set a pernicious example to others by reprehensible habits and disgraceful conduct.

BOMBAY CASTLE, 12TH AUGUST 1823.

Mr. Assistant Surgeon Anderson of the Hon'ble Company's Ship Discovery is relieved from Marine duty, and Mr. Mackell, now in the Psyche, is transferred to the Discovery.

Sub Assistent Surgeon Vaughan, at present in Medical charge of the Aurora, will join the Psyche in room of Mr. Mackell.

By Order of the Hon'ble the Governor in Council,

W. NEWNHAM.
Sect. to Govt.

Calcutta.

THE FOLLOWING ARE GENERAL ORDERS ISSUED TO HIS MAJESTY'S FORCES IN INDIA.

Head-Quarters on the River, off Berhampore 11th July, 1823.

GENERAL ORDERS.

His Excellency the Commander in Chief of India is pleased to make the following promotions, until His Majesty's pleasure shall be known.

47th Regiment.

Ensign A. J. Millar to be Lieutenant, vice Keays, deceased.

Ensign and Adjutant McCarthy, to have the rank of Lieutenant.

By order of His Excellency the Commander in Chief

THOS. McMAHON, *Col. A. G*

Head-Quarters, on the River, off Berhampore, 11th July, 1823.

GENERAL ORDERS.

At a General Court Martial assembled at Fort William on Monday the 23d June 1823. Lieutenant J. D. Carroll, of His Majesty's 86th Regiment, nominally a Captain in His Majesty's 69th Regiment, under the yet unconfirmed appointment of the late Commander in Chief in India and Major of Brigade to the King's Troops at Madras, was arraigned upon the undermentioned charges, viz.

For "behaving in a scandalous, infamous manner, such as is unbecoming the charcter of an Officer and a Gentleman," in the following instances.

1st. In having transmitted thro' the Office of the Secretary to Government in the Military Department, a Memorial to the Hon'ble the Governor General, in Council, dated the 28th of May 1823, in which he falsely and fraudulently sets fourth that at the special desire and request of the late Governor General and Commander in Chief, The Most Noble the Marquess of of Hastings, he compiled a Work, by which he had lost the sum of Sicca Rupees 46,116-12, whilst in his Original Memorial to Lord Hastings, dated on the 31st of August 1818, which has been found in the Office of the Secretary to Government in the Military Department, his loss on the same acount is stated to be Sicca Rupees 26,416 12.

2d. In having transmitted with the abovementioned Memorial to the Hon'ble the Governor Gen in Council, dated the 28th of May of the present year, and in support of the same, a paper purporting, and by himself attested, to be a true Copy of a Memorial, dated the 31st of August 1818, and addressed to the late Governor General and Commander in Chief, which paper is not only in itself an imperfect and fabricated document, but also falsely and fraudulently sets forth his loss on the Work in question to amount to Sicca Rupees 46,116-12, whereas in his own Original Memorial, dated on 31st of August 1818, which has been found in the Office of the Secretary to Government in the Military Department, the balance against him is stated to amount to Sicca Ruppees 26.416 12.

3d. In having transmitted with the abovementioned Memorial to the Hon'ble the Governor General in Council, dated the 28th of May of the present year, a statement in which he falsely sets forth the particulars of the expence of the Work in question to amount to Sicca Rupees 71,416 72, the return by subscription and sale to have been Sicca Rupees 25,300, and the loss to be Sicca Rupees 46 116 12, whereas in an Original Statement signed by himself, found in the Office of the Secretary to Government in the Military Department, dated the 31st of August 1818, and sent up with the Original Memorial to Lord Hastings of that date, the expence of the Work is stated at Sicca Rupees 51,416,12, the return by subscription and sale, being in the said Original Memorial, stated to be Sicca Rupees 25.000, and the loss Sicca Rupees 26,416-12, thereby fraudulantly endeavouring to obtain from the Government a Grant or Loan to the amount of Rupees 19,700, in excess to the claim formerly brought forward of Sicca Rupees 26.416-12.

4th In having obtained from the Office of the Military Secretary to his Excellency the Commander in Chief a Copy of a Letter from Lieutenant Colonel Doyle, Military Secretary to the late Commander in Chief, dated 22d of October 1818, and addressed to Lieut. Colonel Young, then Secretary to Government in the Military Department, in which he has with false and fraudulent intent erased and altered, or caused to be erased and altered, the figures 26,416,12. to 46,116-12.

All and every part of such conduct being in breach of the Articles of War.

Upon which Charges the Court came to the following decision.

Finding.—After mature deliberation the Court do find as follows:

That Lieutenant J. D. Carroll of His Majesty 86th Regiment, nominally a Captain in His Majesty's 69th Regiment, under the yet unconfirmed appointment, of the late Commander in Chief in India, and Major of Brigade to the King's Troop at Madras, is Guilty of the first specification of charge against him.

The Court do find him Guilty of the second specification of charge against him.

The Court do find him Guilty of the third specification of charge against him.

The Court do find him Guilty of the fourth specification of charge against him.

Sentence.—Having found the Prisoner Lieutenant Carroll of His Majesty's 86th Regiment, nominally a Captain in His Majesty's 69th Regiment, and Major of Brigade to the King's Troops at Madras, Guilty of the Charges exhibited against him, the Court do sentence him to be discharged from His Majesty's service.

Approved and confirmed.

(Signed) EDWARD PAGET *General,*
Commander in Chief in India

The foregoing Order to be entered in the General Order Book, and read at the Head of every Regiment in His Majesty's Service in India.

By order of His Excellency the Commander in Chief.

THOS. McMAHON, *Col. A. G.*

THE GAZETTE.

BOMBAY.

WEDNESDAY, 20TH AUGUST 1823.

We have the pleasure to announce the arrival of the Brailsford Captain Spring in this Harbour yesterday from London the 12th April and Madeira the 8th May. The only Public news of any moment brought by the Brailsford is a confirmation of War having commenced between France and Spain, and a detailed account of a rencontre between a party of French Troops, under the command of General Vallin, and a body of French Italian and Piedmontese renegados, in which twelve of the latter were killed or wounded, and the rest decamped. We subjoin the latest intelligence, which the London papers supply, respecting the State of affairs in the Peninsular.

The Bombay Merchant from this port passed through the Downs the 6th April.

We publish under the head of Calcutta news an important Document duly accredited, & its publication authorised, by the Supreme Government of Bengal, containing the substance of Mr. Crawfurd's Report of the Mission to Siam and Cochin China, deputed by the Supreme Government with a view to settle and prosecute Trade in those parts.

Our readers will also find an abridged Report of the case of Dr. Bryce against Messrs. Ballard Palmer and Sandys for a libel against the former, published in the Calcutta Journal. We may perhaps take occasion in our next to offer a few remarks on this business.

LONDON, WEDNESDAY, APRIL 9, 1823.

FRENCH DECLARATION TO THE SPANIARDS.

We received last night, by express, the following letter from Paris, which contains the proclamation to be issued on entering Spain. It is also asserted in the most positive manner, that the French army, under its redoubtable leader, was to cross the Bidassoa on Sunday the 6th of April---a well chosen day for the commencement of its work of iniquity :—

"PARIS, APRIL 7, 4 O'CLOCK P. M.

"The King yesterday received a letter

from the Prince Commander-in-Chief, stating that on Sunday the 6th of April (yesterday) he was to enter the Spanish territory at the head of his army. The troops were to defile before him on the banks of the Bidassoa, and to cross that river in succession. The first despatch of his Royal Highness, in which he will give an account of his having entered Spain, may be expected in two days. It will be immediately communicated to both Chambers in a Royal message, together with the manifesto or proclamation, declaring to the army, to Spain, and to Europe, the cause and objects of the invasion. Of this proclamation I send you a copy :---

"'PROCLAMATION.

"'THE DUKE D' ANGOULEME, GENERAL IN CHIEF OF THE ARMY OF THE PYRENEES, TO THE SPANIARDS.

"'The King of France, by recalling his Ambassador from Madrid, hoped that the Spanish Government, warned of its dangers, would return to more moderate sentiments, and would cease to be deaf to the counsels of benevolence and reason. Two months and a half have passed away, and his Majesty has in vain expected the establishment in Spain of an order of things compatible with the safety of neighbouring States.

"'The French Government has for two entire years endured, with a forbearance whithout example, the most unmerited provocations; the revolutionary faction which has destroyed the royal authority in your country—which holds your King captive—which calls for his dethronement—which menaces his life and that of his family, has carried beyond your frontiers its guilty efforts. It has tried all means to corrupt the army of his Most Chrsitain Majesty, and to excite troubles in France, in the same manner as it had succeeded by the contagion of its doctrines and of its example to produce the insurrection of Naples and Piedmont. Deceived in its expectations, it has invited traitors condemned by our tribunals, to consummate under the protection of triumphant rebellion the plots which they had formed against their. country. It is time to put a stop to the anarchy which tears Spian in pieces, which takes from it the power of settling its colonial disputes, which separates it from Europe, which has broken all its relations with the august Sovereigns whom the same intentions and the same views unite with his Most Christian Majesty, and which compromises the repose and interests of France.

"'Spaniards! France is not at war with your country. Sprung from the same blood as your kings I can have no wish but for your independence, your happiness, your glory. I am going to cross the Pyrences at the head of 100,000 Frenchmen; but it is in order to unite myself to the Spaniards, friends of order and of the laws, to assist them in setting free their captive King, in raising again the altar and the throne, in rescuing priests from proscriptions, men of property from spoliation, and the whole people from the domination of an ambitious few, who while they they proclaim liberty, are preparing only the slavery and ruin of Spain.

"'Spaniards! Every thing will be done for you and with you. The French are not, and wish not to be, any thing but your auxiliaries. Your standard alone shall float over your cities: the provinces traversed by our soldiers shall be administered in the name of Ferdinand by Spanish authorities; the severest discipline shall be observed; every thing necessary for the service of the army shall be paid for with scrupulous punctuality: we do not pretend either to impose laws on you, or to occupy your country; we wish nothing but your deliverance; as soon as we shall have obtained it, we will return to our country, happy to have preserved generous people from the miseries produced by revolution, and which experience has taught but too well to appreciate.

"'Head-quarters at the Bayonne April, 2, 1823.

"'LOUIS ANTOINE.

"'By his Royal Highness the Prince General-in Chief, the Counsellor of State Civil Commissioner of his Most Christian Majesty.

"MARTIGNAC."

The Time April 9.

(FROM LA FOUDRE OF THURSDAY, 10TH APRIL.)

"The French Revolutionists hope, if their brethren in Spain are obliged to quit Seville, that they will be able to convey the KING off by sea to America. We must destroy these hopes. Two French frigates are cruizing off the entrance of the Guadalquiver; consequently, the ship in which they may embark the KING, cannot fail of falling into their hands.

"By order of the Prince Generalissimo, commercial couriers are interdicted from passing the frontiers of Spain.

"Tue advance guard of the army has, it is said, arrived at Tolosa. It is everywhere received with enthusiasm.

"All Navarre is rising against the Constitutional system. Letters from Pampeluna state, that the arrival of the French troops is awaited there with impatience.

"An Officer, worthy of credit, who has just arrived from the Eastern Pyrenees, assures us, that MINA has with him only about five or six thousand disciplined men. The rest of his division is composed of militia, badly armed and clothed.

"The Royalists are masters of the environs of Madrid. Colonel ISIDORE, Chief of a considerable corps of faithful Spaniards, is in possession of Guadalaxara.

"The Ambassador of Portugal has received his passports and quitted Paris.

"The French Consul from Madrid has aarived in Paris."

A Frankfort Jonrnal of the 5th instant, has arrived this morning. It states, on the authority of letters from Rome, that Cardinal GONSALVI is so ill that his recovery is despaired of by the Physicians. Cardinal SPINA, who was deputed to the Congrass of Verona, in the quality of Plenipotentiary of the POPE, is already selected to succeed him as Secretary of State for Foreign affairs,

This Journal contains advices from Venice, dated the 26th ult., which state, that negotiations between JUSSUF PACHA and the Greek General, COLOCOTRONI, for the capitulation of Patras, are far advanced, and that the surrender of that fortress, and of Lepanto, must take place shortly, unless the Turkish garrisons should receive succour before the 1st of April.

The Courier, April 12.

MADRID, MARCH 31.

An Oporto journal of the 24th inst. states, that a brilliant victory has been obtained by the constitutionalists, near Amarante; the action lasted from nine in the morning to four in the evening. The rebels were finally routed, leaving 230 prisoners in the power of the conqueror, and 56 dead on the field of battle. The same jonrnal adds, that a battalion of Cacadores was particularly distinguished in this affair. After having been for a long time under fire, the, soldiers would neither rest nor take their rations when they arrived at Amarante, but rushed on the enemy, with cries of "Live the Constitution!" After the action, when General Rego returned to Amarante with the prisoners, he was borne on the shoulders of the soldiers to his quarters, amidst the most enthusiastic acclamations. This declared champion of liberty declared to his comrades, that he would lose his life in the field of honour, or would avenge the country outraged by its unworthy sons.

The same *Lisbon Courier* announces that his Majesty John VI had sanctioned the treaty mentioned in the *Universal* of the 28th of March. This, perhaps, refers to the treaty of alliance between Spain and Portugal.

The Times, April 11.

We have obtained the following information respecting the position of the Spanish Constitutional Generals, at the moment of the entrance of the French

troops into Spain :—Ballasteros was at Tudela with some militia, ready to retire upon Saragossa to join Mina, who has under his orders from ten to twelve thousand men. The corps of Torrijos, of from four to five thousand, had abandoned the route from Madrid to Bayonne to post himself on the right, in order to effect his retreat and join Morillo who is in Galicia with a hundred of soldiers.

L'Etoile, April 8.

Yesterday a ballot was taken at the East India House, for the election of six Directors in the room of the Honourable Hugh Lindsay, John Morris, Esq., Robert Campbell, Esq., John Goldsborough Ravenshaw, Esq., Josias Du Pre Alexander, Esq., and Neil Benjamin Edmonstone, Esq., who go out by rotation. At six o'clock the glasses were closed and delivered to the scrutineers, who reported, at half-past 7 o'clock, that the election had fallen on William Stanley Clarke. Esq., John Hudleston, Esq., Richard Chicheley Plowden, Esq., George Raikes., Esq., George Abercrombie Robinson, Esq., and John Thornhill, Esq.

The Times, April 10.

Bombay.

ARRIVALS.—Captain M. Collis, 2d | 8th Regt.
Lieut P. W Pouget, Adjutant Invalid Bat.
Major P. Lodwick, 2d | 3d Regt. N. I.
DEPARTURES —None.

NAUTICAL NOTICES, CHRONICLE and NAVAL REPORT.

Bombay.

ARRIVAL.—from England, Aug. 19th Ship Brailsford, John Spring, April 12th Gravesend, Madeira 8th May.

PASSENGER.

Per Brailsford.—Mrs. Burns, Private of Artillery's Wife.

DEPARTURES.—August 16th Ship George Cuttenden, Nacqudah Noor Mahomed Abdull Currim, to Tellechery.

SHIPS LOADING.

English—Royal George, for London.
Euphrates, for ditto.
H. C.—Bridgwater, for China.
Charles Forbes, ditto.
Glenelg, for Calcutta.
Asia Feliz for ditto.
Neptune, for ditto.
Kusrovie, for Bussorah.

Calcutta,

ARRIVALS AT KEDGEREE.

The Diana, Captain F. Goutiere, from Vizagapatam, 21th July.

DEPARTURES.—None.

STATIONS OF VESSEL IN THE RIVER.

KEDGEREE, SUNDAY EVENING, THE 27TH JULY, 1823.

DIAMOND HARBOUR.

Circassian, outward bound, remains, and Diana, passed up.

NEW ANCHORAGES.

H. C. Ships Windsor, and Hythe, remain.

Madras.

ARRIVAL.—July 30th, Ship Morning Star, Captain F. Mevat, from Calcutta 7th June, and Vizagapatam 19th July.

DEPARTURES.—July 31st, Ship Scotia, Captain A. Agnew, for the Cape of Good Hope.—August 3d, Ship Pyramus Captain John Brodie, for Coringa.

General Register of Marriages, Births, and Deaths.

Bombay.

BIRTHS.

At Belleville on the Evening of Wednesday the 13th Instant, the Lady of Major Tucker, Deputy Adjutant General of the Army, of a Son.

On the 9th Instant at Ahmednuggur, the Lady of Captain Laurie, of Artillery of a Son.

At Surat, on the 30th July, the Lady of the Revd William Fyvie, of a Son.

DEATHS.

On Friday the 15th Instant at Poona, Katherine Frederica, the infant Daughter of Capt. Frankland, of H. M. 20th Regiment of Foot, aged nine months, and six days.

At Assergurh the infant son of Captain C. J. C. Davidson, Bengal Engineers, aged thirteen months.

On Wednesday Morning the 13th Instant, Master James Purefoy, son of Mr. E. C. Anderson, aged nearly seven years.

Such was the docile and amiable disposition of this much beloved Child that he even ensured the esteem of those who noticed his innocent peculiarities; and it may be piously concluded that while his early departure from all temporal scenes has proved the source of considerable regret to his disconsolate Parents and numerous friends, that to him it has been the entrance into everlasting felicity.

At Grigon on Wednesday the 13th Instant, Caroline, daughter of A. D Souza Esq. aged 1 year and 14 days.

On Thursday the 14th Instant, Ragoonath Pillajee, a respectable Hindoo of this Place and formerly a Clerk in the Courier Office, he has left a disconsolate Widow and an infant child to lament his loss.

On the 15th Instant, Mrs. Mary R. McKenzie, aged 21 years.

Calcutta.

MARRIAGES.

At Nagpore, on the 18th ultimo, by the Rev. Mr. Kirchhoffer, Mr. P. W. Simons, a Clerk in His Highness the Rajah's Pay Office, to Miss Caroline Rhodes.

At Penang on the 1st May, at St. George's Church, by the Revd. R. S. Hutchings, Captain Frederick Dangerfield, of the Bombay Military Establishment, and Honorary A. D. C to the Governor General, to Miss Mary Dioni Bannerman, 3d Daughter of the late Governor Bannetman.

BIRTHS.

On Thursday, the 17th instant, the Lady of W. H. Oakes, Esq. of the Civil Service, of a Son.

DEATHS.

On the 19th instant, on her passage to Calcutta, Mrs. William Henry Tydd, after a short illness.

On the night of the 20th instant, William, the infant Son of Captain H. W, Wilkinson. Fort Adjutant of Fort William, aged 9 months and 18 days.

Madras.

BIRTHS.

At Trichinopoly, on the 28th July, the Lady of Captain Mackintosh, of the Engineers, of a Daughter.

At Madras, on the morning of the 23d ultimo, at the house of Captain Ormsby. Mrs. Lawder, wife of Mr. J. Lawder, Madras Medical Establishment, of a Son.

DEATHS.

At Quilon, on the 28th July, Eugenie, Daughter of Claud Currie, Surgeon, 25th Regt. N. I.—The death of this interesting Child is truly a source of deep regret to her Parents.

At Masulipatam, J. S. Newbolt, the infant Son of J. D. Newbolt, Esq. of the Madras Civil Service.

Calcutta.

SUPREME COURT.

CALCUTTA,—MONDAY, JULY 21ST, 1823.

JAMES BRYCE *versus* GEORGE BALLARD, JOHN PALMER, AND JOHN FRANCIS SANDYS.

Counsel for the Plaintiff.—Mr. CLARKE and Mr. PEMBERTON.

Attorney.—Mr. THOMAS.

Counsel for the Defendants.—THE ADVOCATE GENERAL and Mr. TURTON.

Attornies.—Messrs. COMBERBACH and HOGG.

Notwithstanding the unfavorable state of the weather, the intense anxiety of the public with regard to this cause was manifested by the crowded state of the Court, which was filled at an early hour, by gentlemen high in the Civil and Military Service, and the most respectable inhabitants of Calcutta.

Before the cause was called on, the ADVOCATE GENERAL moved, that the Clerk of the Papers do attend with the depositions in the case of Buckingham *v* Larkins and Others.

Mr. PEMBERTON briefly opened the case to the Court, and stated that the damages were laid at 100,000 Rupees.

Mr. CLARKE said that on this occassion he had the honor to address the Court on the part of the plaintiff, and to call its attention to the nature and extent of the injury sustained by him. The Plaintiff in this case was a Minister of the Church of Scotland, and of the Defendants, two were Proprietors, and one the Editor of the Calcutta Journal. The learned counsel would state his case to His Lordship as plainly as possible for what, he asked, was the power of eloquence, in comparison with a plain statement of facts. The Plaintiff here was a minister of the word of God; the high priest of the Creator to whom nothing was so necessary as a character for propriety of conduct, and he was certain that neither British Law nor British Justice would permit an attack to be made on it with impunity. The character of the minister of the Creator ought to be unimpeacheble. It may be said that as a clergyman, his client ought to submit to injuries; that he ought to bear with Christian forbearance wrongs and grievances, but he (the learned counsel) had yet to learn what part of his duty it was which directed him to bear slandering, and not to come forward and seek the only redress which the law afforded him. It may be said that as a minister of the Gospel he ought not to come here, but there was a point of forbearance beyond which a man ought not to go. He need only refer to Mr. Bryce's career in India, and he could say that from the first until the time of the present Editor, he had been continually the sufferer by the libels published in the Calcutta Journal. The very fifth number of that paper contained a libel against him, and every succeeding one had teemed with them. When he, (Dr. Bryce); was obliged to go to England, he had an address presented to him by his flock, signed by sixty-nine individuals, of as flattering a nature as a man could receive, and it was with this mark of their attachment that he left this country. But when he returned he was again attacked in the Calcutta Journal, and he had shewn the forbearance of a Christian in thus submitting to these attacks

for five years. On the second day that the present Editor entered on his duties, a libel was published against him & day after day this conduct had been repeated. His client the learned counsel said, would obtain redress no where else and he had now brought the case before his Lordship, and he was induced to do this, because the opinion had gone abroad derogatory to his character in consequence of which, high as he formerly stood in the estimation of his friends, he found they were falling off, and he did this at a time too, when a new attack was commenced against him, actuated by the vampire spirit of the first. In such a case what was he to do, for the honour of the church, for the justification of himself, but to come before that Court, and call upon it to record its opinion on the subject. He had done so, and that in the fairest manner too, and by a civil, and not a criminal, process had thus given the defendants an opportunity of proving their allegations, which they had declined to do, by pleading the general issue.

The doctrine had, indeed, the Learned Counsel remarked, been widely promulgated that a Clergyman should bear and forbear.

Here the Advocate General made some remark.

Mr. CLARKE did not say that his learned friend had made use of that argument; he had too much good sense and liberality to do so. Within the two last days his client had been attacked in the most unchristian manner in the pages of the same Journal to which he had already referred. There was much more cowardice in thus attacking a Clergyman than another individual, but if a Clergyman did wrong, he would say, let the black sheep be picked from the flock.

The charges brought against his client, the Learned Counsel proceeded to argue, were absurd, and seemed to be fixed almost entirely to one action of his life. And this was, that having enjoyed the confidence of the Government, they had thought fit to give him a situation, and because he had accepted it, they had overwhelmed him with these libels. But the learned Counsel would put witnesses into the box to prove that there was nothing derogatory to the character of a Clergyman of the Church of Scotland to accept of such a situation as this; to prove the circumstance too absurd and futile to make a serious charge of, for it was the practice of the Church of Scotland for its ministers to exercise secular employments.

The learned gentleman then proceeded to state that it had been widely circulated that the present was an improper time for bringing this action. It was said so, because after the stormy season through which we had lately passed, and just at the moment when we were enjoying the first rest of tranquillity, just after certain restrictions had been imposed upon the Press; it was injudicious, at this particular juncture to come forward, and agitate the public mind by the discussion of this subject. But the new restrictions on the Press did not afford any protection to his client. They were the act of Government, and could not be commented on. The case of his client was precisely that anticipated by Sir F. Macnaghten, when he said "that if any one felt himself aggrieved and could not obtain redress under the new regulations, if they came to him, he would grant it to them" The plaintiff was without protection, and stood now precisely as he had done for the last 5 years. The Rules for the Regulation of the Press, were made for the protection of Government and not of individuals. The libels appealed to the authorities at home; to the Court of Directors and to the General Assembly, and they called upon them to strip his client of his gown. He was 16,000 miles from home where these libels were to be promulgated, and no one could say what the Court of Directors or the Church of Scotland may do in consequence of them. May they not say; "you have disgraced Religion by bearing for five years what you have done, why do you not have recourse to the law, for redress?" His client had now recourse to the law. the Learned Counsel stated, in the hope that this reproach would be wiped off by His Lordship's decision.

The next point to which the Learned Counsel would call the attention of the Court, before he went into the subject of the libels, referred to the conduct of two individuals connected with the case namely, Messers. Ballard and Palmer. They were persons of great respectability, and if their respectability had been less, they might have been mixed up with the Editor and have passed without further notice. But when persons of this description came forward to support with their rank, influence and property, publications like these —when they did this—they were completely mixed up with the Editor, and could not be distinguished from him. They did it with their eyes open—they knew of the four former prosecutions; they knew that Mr. Buckingham had been sent home for the same offence—they knew the present Editor—they saw the libels published, daily—they knew the plaint in this action had been filed, and if instead of coming forward to check these proceedings they gave them a helping hand, they thus identified themselves with the Editor and were answerable for his actions. The learned gentleman would address thes individuals in the language of Mr. Fergusson on a late occasion, and he wished that they had taken his advice. His learned friend had said, "If gentlemen would indulge in strange whims, and employ their capital in newspaper speculations, they must be answerable to the last farthing." Such was the language of his learned friend, and it was a pity these gentleman had so soon forgotten the advice of their own counsel. But if they had forgotten it, or neglected to follow it, he hoped that the law as laid down by his learned friend on that occasion would be followed up on this. He had said that it "could not be contested that proprietors were liable," but in this case the Editor thought differently from his counsel, and said that, "another delusion attempted to be propogated is, that the Shareholders who have an interest in this concern, are responsible for the manner in which it is conducted. We have the best legal advice on which the fullest reliance may be placed, that the share-holders are as safe from any responsibility, as the Editor is from the power of transmission, since they exercise no control over its management, and have merely such an interest as Proprietors of Chowringhee Theatre have in that concern, who are not responsible for the faults of the actors," Surely his learned friend did not give that opinion in their printing office, after having laid down the law so differently in that Court.

The learned counsel would briefly state to the Court, what his client had suffered by the publication of these libels, and it would not be too much to say, that his friends had deserted him—that his character had been attacked, and that he was kept in fear of the censures of the Court of Directors and of the General Assembly.

The learned counsel then proceeded to consider the libels. The first he stated was published in the Journal of the 22d of February, and was headed "Important Queries." The whole of the article in question is as follows:

"IMPORTANT QUERIES."

SIR *To the Editor of the Journal.*

"Solicitous as every man, by home freedom of discussion, and its many attendant blessings are prized, must be, to learn the various circumstances which have led to your transmission, I hope to receive an answer to the following queries from some one of your numerous correspondents."

"Was not the office of Clerk of the Stationary Committee held, before Dr. Jameson's nomination to it, by one of the most profound oriental scholars now in existence and whose *professional* merits of literary labors were often warmly eulogized by the late Governor General? When the appointment in question became vacant by Dr. Jameson's demise, what could have induced the claims of the eminent individual to be overlooked, who had formerly filled the office, and the situation given to a person of Address-writing notoriety, and generally engaged in pursuits not very compatible with the Clerical character and, who, from sheer deficiency of talent, was unable to conduct with success, a Newspaper entrusted to his charge, and a Magazine planned by himself?

"There is a query of far more moment that I must put; and to which I hope for a reply from some of your correspondents or any of your readers who may be in the secret of affairs."

"Was it at the solicitation of the present Clerk of the Stationary Committee who himself formerly edited a newspaper, and was then supposed to be friendly to liberal opinions, that your Transmission was ordered or did the mandate spontaneously emanate from Government through a desire of "*indemnity for the past and security for the future?*"

"If it should appear that the obnoxious order was issued at the solicitation of the divine, who has lately so much distinguished himself in "the wars of war," then I must content with saying.

"Are these the arts which Policy supplies,
Are these the arts by which grave churchmen rise?
Forbid it Heaven! or should it turn out so.
Let me and mine continue mean and low."

Serampore 18th Feb. 1823 "CRISPUS"

The learned counsel proceeded to comment on this libel, and particularly directed the attention of His Lordship to the artful manner in which the libelous matter was promulgated. It was endeavored to mix up the blessings of public discussion with the appointment of Dr. Bryce to the office in question.

The ADVOCATE GENERAL remarked that from beginning to end, it was not stated in the plaint that the plaintiff was libelled as a clergyman.

Mr. CLARKE—He is stated to be a clergyman.

Mr. TURTON.—That will not do.

The learned counsel then proceeded to comment on the second libel which was headed "Epigram," and which was published on the 24th Feb. It consisted, he said, of some doggerel verses not worthy the notice of his Lordship. This libel is as follows:

"EPIGRAM"

To the Editor of the Journal.

"SIR,"

"Comparisons are sometimes odious and Squibs, though inferior to Congreve rockets, are sometimes very disagreeable, fizzing and sticking like a bur to one's tail. To *whose* tail the accompanying should be *gummed*, and who most deserves the odium and the smart, be it, unto all truly pious and sincere Chris-

dains of this and all other nations, honestly and fearlessly to declare."

"A certain Minister and I,
Are seen through in a trice,
One's marked with dark hypocrisy,
The others branded "Vice."
"A Bull in character is one,
Continually butting,
But when my utmost I have done,
At last 'tis only cutting."
"*His* cloven foot, his horns and tail,
Are seen by all the nation,
The *worldly minister* can't fail,
To scare his congregation."
"With Pounce and Sand and gum at hand,
He sticks to making *Money*;
Unlike the good Samaritan,
Whose Balm, was Oil and Honey."
"And these he freely gave to all,
Unmindful of himself,
Inspired by a heavenly call,
He disregarded *pelf*."
"The heart of which I bear the brand,
With Vice is deep impressed;
But oh! the shining, *golden* sand,
The *Heart* of a *Worldly Priest*."

I am, Sir,

ONE OF THE MANY OF THE COMPANY'S PEN KNIVES.

Squib Court, Feb. 19, 1823.

(Mr. Clarke did not read the whole of this libel at the time, but as it was read afterwards by the Clerk of the Court, and to keep up the thread of the trial, by affording our readers the means of reference, we have inserted it in this place.)

The learned counsel would not, he said, occupy His Lordship's time by reading the whole of this production, but would content himself with pointing out some of the peculiarities of expression, which he did, and then observed that in this libel it was the pen-knife which was supposed to speak

Mr. TURTON remarked that this was very CUTTING.

The ADVOCATE GENERAL made some remark alluding to the cloven foot, horns and tail, as referred to in the libel before quoted, when.

Mr. CLARKE resumed.—His learned friends he said, were giving an instance of the effect of the libel.

He then proceeded to notice the 3d Libel, which was published on the 1st March, in the seven last lines of an editorial note attached to a letter signed, "PRESBYTEROS." These are as follows;

"It is therefore incompatible with the clerical character to blow up the coals of strife and tear asunder the bonds of society; but this is the grievous charge which has for months lain against Dr. Bryce since his return to India; and yet he, on former occasions so careful of his reputation, has, by his silence in this case, allowed judgment to be recorded against him in the Public Opinion, from which, as he has allowed this day of grace to pass for ever, it would appear, there can be now no appeal."

Mr. CLARKE said on this, that if he were to seek for a proof any where of the necessity of the plaintiff coming into Court, he should find it here, for this note had reference to a letter written sometime before, in which Mr. Buckingham accused him of writing the letter signed "A Friend of Bankes."—With reference to this letter, he was now called upon to come forward, but if he had done so, it would have given the Editor of the Journal something to do.

The 4th libel, which the learned counsel considered as the most aggravated of all was published in the shape of the following letter on the 1st March.

"SECULAR EMOLUMENTS."

SIR, *To the Editor of the Journal.*

"The following information was lately communicated to me by a friend. Not many years ago a poor Scotch Clergman, with a view to eke out a scanty subsistence, took a share in a Provincial Magazine, for which he was arraigned before the General Assembly of the Kirk. In consequence however, of some favorable circumstances attending his case, many of his brethren were disposed to view it with compassion, but a *Reverend Divine*, who had returned to Scotland from *a foreign land*, pronounced the crime unpardonable and opined, that it was a burning shame for a Minister of the Gospel to be engaged in a secular concern of emolument. The consequence was, the delinquent was expelled from the ministry."

"I have been informed that every thing connected with this case is well known to the Clerk to the Stationary Committee, and it is *devoutly* to be wished that he would favor the community with the particulars."

"Your obedient Servant,"

"PETER POUNCE."

Ratpore Feb. 1823.

The learned counsel remarked that there could be no doubt but that this production referred to Dr. Bryce, and he would put witnesses into the box, who would swear that it did, and perhaps of all the libels complained of, none had produced a more serious effect. If it were true that when the plaintiff went to Scotland, he had acted as he was said to have done, because a clergyman edited a magazine, he knew of no term too bad for him; but so grave a charge was extremely different from mere ribaldry—that might create, a smile as the verses had done, with his learned friends, but this was so heinous a charge, as to be sufficient to blast a man's character for ever. The defendant ought to be cautious how they put forth charges of so serious a nature, but they had used no caution, and instead of it, there appeared in the Calcutta Journal of Saturday the following notice:

"PETER POUNCE who addressed a note to us above four months ago on "SECULAR EMOLUMENTS", is requested to communicate to us in a private and confidential letter respecting the circumstance therein alluded to."

So that four months after putting forth this libel, they call upon their anonymous correspondent to verify the truth of his assestion. But the learned counsel would call the attention of His Lordship to the real state of the case, which was as follows: A clergyman sitting in the General Assembly along with his client had read in a magazine called the Christian Instructor, a libel on the General Assembly, which stated, "that they (the General Assembly) were drivellers, capable of any act of injustice," and considering this to be a libel on the General Assembly, Dr. Bryce moved that it was so. To this the whole of the General Assembly agreed, and the Editor of that Magazine himself seconded the motion. Some of the members proposed that the matter should be referred to the Procurator General in order that he might commence proceedings against the offender; In this case, the learned counsel asked, what did his client? He opposed the reference, and eventually kept the offending parties from the bar of that Assembly. The learned counsel would put a gentleman into the box who would swear to the truth of this statement, and to the kind behaviour of the plaintiff to the individual in question. This gentleman was in the Assembly at the time, and it was only owing to the Providence of God, that his client had been able to produce him on this occasion, Having given this statement of the facts, he should leave it to his Lordship to determine what damage had been done to the plaintiff and to what reparation he was entitled.

The 5th libel the learned counsel stated was published on the 12th of March in a letter headed "Clerical Avarice Reproved," and signed "An Englishman." It is as follows:

"——— my business is at present with Dr. Bryce, who asked for and accepted the appointment, and who by so doing has caused all this mischief, but I do not hesitate to say that such an avocation is wholly incompatible with sacerdotal dignity, so much so, indeed, that I feel confident our worthy masters in Leadenhall Street will not confirm it. A preacher of the gospel should not sit at the receipt of custom, and I feel quite satisfied that if any minister of the English church, was to accept (even when *offered* to him) such a situation of *mere gain* (it cannot be called zeal in the welfare of mankind) he would be deprived of his canonicals for ever."

"I trust, therefore, that I shall not be considered unlike an Englishman, when I thus conscientiously declare, that I consider Dr. Bryce, by seeking for, and subsequently accepting of, this clerkship, has not only called for reproof, but that he ought to be publicly reprimanded by those at home whose duty it is to protect the kirk dignity. Mathew *resigned* his (what to him was lucrative and honorable) situation to preach the word of God, and follow his divine master, well knowing that he could not *consistently* serve both God and Mammon. Dr. Bryce by seeking lay employment, has laid himself open to censure, and if he is the FRIEND TO BANKES, which is generally believed and no where denied, he deserves to have his gown taken from his back."

It was very strange, the learned counsel proceeded to argue, that his client should be thus libelled, for accepting of this appointment, for nothing could be more absurd than to say that a clergyman may not hold a situation of this kind. It was what was done every day in England, even in the very seats of orthodoxy, the universities themselves. What he would ask were the curators of markets, and proctors, but secular employments. And every one must know that these situations were held by clergymen, whether he had been in an university or not, and that what this ignorant libeller said was false. He said "I shall not, therefore I trust, be considered unlike an Englishman &c." Now what, the learned counsel asked, was the object of this? It was to prove his client the author of the letters signed "A Friend to Bankes." If they had proof of this, why did they not bring it forward? If they had it, why did they not bring it to the notice of the General Assembly? But this like the circumstances mentioned in the letter signed "Peter Pounce" was utterly false and untrue, and the Defendants had sent it along with the other libels to England, untrue as they knew them to be, to operate in full force against his client. His Lordship would see that an appeal was here made to the General Assembly and the Court of Directors, and this, the Learned Counsel asserted, he would prove, in spite of the eloquence of his learned friends, was intended to affect the interests of his client, and therefore fully entitled him to damages.

The learned Counsel would not detain His Lordship by going through any more of the letters. The libels which he had already noticed, he had selected from twenty-one published in February, and nineteen in March. He had now only to press upon the Court the situation in which his client stood; he had been bred in the Church of Scotland, and distinguished from an early period, for his literary attainments. He was author of a work on "British Policy in India," the situation of Chaplain was given to him as a reward for this work, and in consequence he came out in 1814. He here gained the confidence of the community, and the Learned Councel would prove how he stood in its estimation in 1819, when on his return to Europe, an address signed by 69 persons of the utmost respectability was presented to him, couched in the most flattering terms. The learned counsel then read the address, after which the Advocate General applied to see it.

Mr. CLARKE declined shewing it to his learned friend, until it was put in as evidence.

The ADVOCATE GENERAL said that in

that case he should never see it, and it was but right that if his learned friend were allowed to read this eulogium on Dr. Briyce, that he should be allowed to see it.

Mr. CLARKE inveighed against the interruptions which had occurred in the course of his address, and observed that although it may be the practice of his learned friends to be thus irregular, it was not his to permit it.

The ADVOCATE GENERAL said the first irregularity was on the part of Mr. Clarke.

The learned counsel had now called the attention of his Lordship to the libels upon which this prosecution was founded. He did not know how far the effects of them may extend; they may operate at home much to his disadvantage. The system of persecution which had been adopted towards his client was the most virulent that could be conceived. The libels had not been published in a common newspaper, but in one supported by some of the first men in the settlement and libels supported as these were, must fall peculiarly heavy on his client. The character of his client, the sacredness of his office, had both suffered, and considering the time that he had endured them, he contended that he now came into Court under the most favorable circumstances, and was entitled to signal damages. The learned counsel here concluded a speech of extraordinary animation and eloquence, of which, the foregoing, is necessarily, but a mere outline.

The ADVOCATE GENERAL admitted the jurisdiction of the Court over Messrs. Palmer and Ballard.

Mr. PEMBERTON then called SANDFORD ARNOT. Witness knows Mr. Palmer; does not know where he lives; believes he lives in Calcutta; knows Mr. Sandys; believes that he lives in Calcutta, but does not know; never knew his house; generally sees him every day; does not recollect the 7th March particularly; believes Mr. Sandys has a house in Calcutta; never has seen him in any house in Calcutta except the Calcutta Journal Office and the Supreme Court; has seen him in the street in a buggy or carriage; never heard from him where he lived.

Mr. PEMBERTON asked who was Editor of the Calcutta Journal on the 7th March?

The ADVOCATE GENERAL objected to this question until the jurisdiction of the Court was proved.

Mr. CLARKE then called Dr. ALEXANDER HALLIDAY; witness knows Mr. Sandys; he lived in Calcutta on the 7th March.

Cross-examined by the ADVOCATE GENERAL. Witness was once in the church of Scotland; has been in the habit of visiting Mr. Sandys at the time in question; he lived in a lane out of Cossitollah Street. Witness was educated for the church of Scotland; but was was not ordained; was only on probation; was acquainted with the tenets and discipline of the church of Scotland; comparatively the discipline was rigid; Knows nothing of the duties of the Clerk of the Stationary Committee; in the opinion of many, advertising for the supply of paper, pens, ink, gum, sand, pounce, &c. would be considered derogatory; it would be so in the opinion of many of the ministers, and of the great body of the people of Scotland.

Re-examined by Mr. PEMBERTON.—Has heard that the church of Scotland is divided into two bodies; one wild and the other moderate; the leading men are on both sides; the moderate party have the greatest influence in laying down the rules and regulations of the church; the holding a situation would be considered derogatory by many of the wild class, but not by the moderate; witness would have no hesitation in accepting the office himself if he were not a clergyman; Knows Mr. Stewart, minister of Bolton; the moderate party is the most numerous; Dr. Bryce would certainly be lessened in the estimation of the wild part; it is the practice of the General Assembly to present an annual address to the King; is very well acquainted with Mr. Thomson of the Scotch church of Edinburgh; he belongs to the wild class; does not know that he follows any secular employment, but he is editor of a religious work.

Cross-examined by the ADVOCATE GENERAL.—The term "wild" is not entered on the records of the General Assembly; it is a nickname given them by the opposite party; they call themselves "godly"—"evangelical" is their own term; considers the evangelical doctrines the most consistent with the ancient doctrines of the church of Scotland; there are a very great number of respectable and truly religious characters and of a most examplary life among the wild party.

Re-examination resumed by Mr. PEMBERTON.—There are excellent men also among the moderate party.

SANDFORD ARNOT examined by Mr. CLARKE Witness is an assistant in the Calcutta Journal Office, is assistant editor; Mr. Sandys was editor on the 7th of March; he became editor some day in February; does not remember the precise day believes it was the 23rd; he is editor now; does not know whether Messrs. Palmer and Ballard were proprietors at that time, but believes they were share holders.

Sir A. BULLER. What are proprietors and what share holders?

Witness had known them by that name and had no right to give them another; believes they were share-holders, but does not know.

The next witness called was JOHN CHARLES COLEBROOKE SUTHERLAND ESQ. who was not present.

THOMAS HECKFORD examined by Mr. TURTON. The share holders of the Journal hold under a written document (not produced).

The ADVOCATE GENERAL said that the defendants had received a notice to produce a letter addressed to Mr. I. S. Buckingham dated 12th Feby. 1823, and also all papers, books, and documents in any way relating to the matter at issue. They were now ready to produce all newspapers and every thing connected with the cause, but not their deeds of partnership. Without a notice to this precise effect, how, he asked could they expect these to be produced.

Mr. CLARKE contended that they did not know how the shares were held; it may be under a verbal agreement, and if so, oral evidence was sufficient. If the agreement were a written one, how was it to be known to them, for as they did not hold shares, how did they know what to apply for; If it were not connected with the matters in question, why was it to be produced. A general term had been used and they had a right to it under this term.

Mr. TURTON.—Why did they give a particular notice in one place and not in another?

Mr. PEMBERTON said, because a general notice included all documents.

The ADVOCATE GENERAL said that they had called upon them to produce the deed under which the holders held in this court. Now every dolt must know that for this purpose a specific notice was necessary, and if they did not give this, they may write to the end of time, but if they did not give the notice, how could they expect it to be produced.

Sir a BULLER said that the document was a most important one, and the plaintiff ought to have looked to it.

After some further conversation, Sir A. BULLER said that he thought that the general notice was not sufficient.

Mr. CLARKE thought that such an attempt as that made by the opposite counsel was never heards of before and if it had, it must have been notorious, and he held that it had always been ruled sufficient to prove a general notice.

Examination resumed by Mr. CLARKE.—Mr. Palmer and Ballard are share holders in the paper.

Mr. CLARKE.—Do they receive any profit from it?

Mr. TURTON objected to this question. We have already proved my Lord, said, he, that whatever they do hold, they hold under a written document, and oral testimony will not do to prove it.

Sir A. BULLER said that any thing to prove an act of ownership was admissible.

Examination resumed by Mr. CLARKE. They have received profit; cannot say without reference to the books whether they had received any in February; does not produce the books; they must have received profit in January and February; does not know whether that was before the 24th January; whatever may be due to the proprietors is due monthly; some was due before the 24th Feby.; Messrs. Ballard and Palmer are share-holders now to the best of his knowledge.

Cross examined by Mr. TURTON.—The property from which they derive profit consists of a library and printing concern—when they have leisure they print any thing that may be required—Messrs. Palmer and Ballard have nothing to do with the management of the printing concern—Mr. Buckingham left Calcutta on the 1st or 2nd March; up to the time of his going away he generally superintended the printing concern; he had assistants; he was the actual editor up to the time of his leaving Calcutta, witness considered him, so, although Mr. Sandys had been at the office upwards of half a month; cannot say whether Mr. Buckingham wrote for the concern during that time.

In reply to the BENCH.—By saying that Messrs. Palmer and Ballard had nothing to do with the management of the concern, he meant that in consequence of an agreement made among themselves the editor was sole mannager.

CHARLES LUSHINGTON Esq. was examined by Mr. PEMBERTON.—He deposed to an extract of a letter from the Court of Directors referring to the appointment of Dr. Bryce as chaplain.

The ADVOCATE GENERAL—Wished to see the whole of the letter; an extract was not enough.

Mr. CLARKE remarked that the letter was very long, and it was on this account that the whole was not produced.

The ADVOCATE GENERAL—If the letter was very long, the Court of Directors may have changed their minds, before they came to the end of it.

Mr. PEMBERTON said that in the case of the SECRETARIES v. BUCKINGHAM, the signature of the attesting witnesses was held to be sufficient

Mr. LUSHINGTON'S examination resumed—Dr. Bryce was appointed a chaplain.

The ADVOCATE GENERAL submitted that that appointment was in writting

Examination continued by the BENCH—The Government of the country give notice of the appointment to the parties in this country; directions were given by the Court of Directors to appoint Dr. Bryce---In 1814 witness was in England.

A new discussion here arose as to certain questions to be put to the witness. The argument took the following direction. In the pleadings it was stated that the plaintiff was a minister of the church of Scotland in holy orders a

by law appointed. duly appointed to be a chaplain in the military service of the Honorable East India Company. A written appointment had been stated io exist. and it must be proved.

Mr. LUSHINGTON Cross Examined by the ADVOCATE GENERAL.—It is the duty of Government to communicate his appointment to every person nominated by the Company; it would be the witness's office to do this,—probably he would not do it if the person came out with an appointment from England; he would in such a case report his arrival to Government.

The ADVOCATE GENERAL objected to this evidence on the ground that only the letter had been proved from the Court of Directorsand not that from the Government of this country notifying his appointing to Dr. Bryce.

(His Lordship noted this objection.)

Mr. PEMBERTON then proc eeded with the examination of Mr. LUSHINGTON.—Witness understands that Dr. Bryce is a chapiain of of Government; has seen him officiate as a Clergyman; supposes he could have officiated as a Chaplain if he had not been appointed; he had official communications with him as Chaplain; does not know whether he is a Military Chaplain but considers him as such.

Cross-examined by the ADVOCATE GENERAL—If he remembers the terms of Dr. Bryce's appointment, hn is Miiitary Chaplain; but caunot swear it; does not know whether he was attached to the Military Service, hut he is a Military Chaplain; he speaks from imperfect recollection; he has never officiated at a Military Station; never knew him officiate except in St. Andrew's Chureh which is the Scotch Presbyteriau Church.

In reply to the BENCH.—He receives his salary as a Military Chaplain.

Cross-examination resumed by the ADVOCATE GENERAL.—Has read some letters signed "A Friend to Bankes" in the Newspapers; does not know the author of them.

Have you any reason to suspect any particular person of being the author of them?

Mr. CLARKE objected to this question, and after some discussion the question was put in a different shape.

Witness did not know that Dr. Bryce had any hand in writing them; he heard it reported that he was; the report wns very general; cannot speak as to other people's belief on the subject,, bnt heard it reported generally.

Do you believe Dr. Bryce to be the author? (Question objected to and not put.)

Do you believe him not to be the author? Question objected to and not put.)

Has heard a discnssion relative to the author; does not recollect what Dr. Bryce said to it; no allusion was made to him as the author; understood that Dr. Bryce knew that he was reported to be the author; at the time of the conversation three or four people were present; never had any private conversation with Dr. Bryce relative to the letters, except as to the merits of them; does not recollect what Dr. Bryce's opinion of them was.

When you say that Dr. Bryce was believed to be the author, do you mean that any one else believed it beside yourself? (Question objected to and not put.

When you speak of the general belief do you include yourself? (Question objected to and not put.)

Mr. TURTON.---Bryce is paid from the civil department; from the general treasury.

The BENCH.—Other chaplains are paid in the same manner.

Mr. CLARKE.---All chaplains are allowed furlough; Dr. Bryce will be entitled to a pension; he is clerk to the Stationary Committee; he acts and officiates as such.

Mr. TURTON.---The name of the Committee is "Committee for Controlling the Expenditure of Stationary." that is out of the civil service; the members of the Committee are in the civil service; the Committee is a department under the Government; the Committee is composed of members of the civil and military professions Dr. Bryce receives pay as clerk to the Committee for controlling the expenditure of Stationary; he receives it from the civil department.

The ADVOCATE GENERAL.—Every one who draws money from it does not belong to the civil service; Mr. Llewellyn, the parish clerk, draws pay from the civil department; he should laugh if any one were to call Llewellyn a civil servant of the Government; people in the Company's service are different from unconvenanted servants.

The ADVOCATE GENERAL contended that Dr. Bryce was not correctly represented as "as heing in the civil service" of the Company.

Mr. CLARKE said that the only question for his Lordship was, whether or not a person receiving emoluments from the funds of the civil service, and doing duties for the same, was incorrectly described as a civil servant.

The ADVOCATE GENERAL said that he was not strictly speaking a civil servant.

Mr. CLARKE contended that he was as he was paid out of the civil fund.

The examination of Mr. Lushington was then continued by the ADVOCAE GENERAL.—Witness did not know from what fund Mr. Llewellyn was paid; he is paid from the same fund as the mihters of the Government House; never would say that Dr. Bryce is a civil servant; he is paid out of the same fund as His Lordship on the Bench; Mr. Ives never was described as a civil servant; Ives does not draw a larger salary than the Clerk of the Stationary Committee. Ives draws salary; the Government here caunot appoint a person to the civil service; they caunot remove a person in the civil service; they have appointed Dr, Bryce and they may remove him when they please.

Question asked by Mr. CLARKE. Have the Company's penknives any particular mark?—He believes they have a mark, (A peuknife was put in.)

Mr. CLARKE.—Is it the same as on that knife?

Witness Yes.

The ADVOCATE GENERAL.—The knife is not evidence.

Question.—What are the letters with which the letters are branded?

Answer. I do not know.

Witness knew Mr. Buckingham; knew that he resided in this country for four years previous to February last.

Qnestion. Had he any authority from the Government to reside here? (Question objected to by the Advocate General, who said there was a covenant which must be produced.)

Mr. CLARKE produced the counterpart of his covenant with the Company.

The ADVOCATE GENERAL objected to it because this was what he gave the Company, and not what the Company gave him. They ought to have suppœnaed Mr. Buckingham and he could have produced the document.

Mr. TURTON contended that this would not do, as the whole of the 4th and 5th counts depended upou it.

Mr. CLARKE.---The Plaint states that the document was a certain docnment, licence, &c. and at the top of the one produced, it was written "Free Mariner's indentures."

Sir A BULLER thought it important to prove the document.

Examination resumed by Mr. CLARKE.—Mr. Buckingham was ordered te leave the coun try in Feb. last; the order was in writing, a resolution in council ordering it, was produced; the resolution was reduced to writing; witness deposed to a copy of the resolution; it was an examined copy; it was examined by the examiners; a letter was sent to Mr. Buckingham on the subject of the resolution; he has every reason to believe he left the country.

THOMAS CALDWELL FITZGERALD.—The copy of the original was compared by him with the original in Mr. Lushington's office; that produced was a true copy.

Cross examined by Mr. TURTON. He compared it with the original: does not remember who assisted him; does not remember who signed the original; it must have been signed by the Chief Secretary; he does not sign all the minutes of the proceeding; thinks the original was signed by Mr. Bayley; the Governor General signs the minutes also; does not remember whether the Governor General signed this or not; compared this with the original; will not swear that Mr. Bayley's signature was to the original. The Governor General's may have been.

The ADVOCATE GENERAL objected to this as evidence

Mr. PEMBERTON asked on what grounds.

The ADVOCATE GENERAL said that he had already stated them.

Mr. PEMBERTON continued his examination. The copy produced is a true copy; believes it is signed like the original is signed.

Cross-examined by Mr. TURTON. He is certain he saw the original; a great deal of business goes through the office, so that he cannot clearly recollect whether the name of the Governor General was signed to it or not. The document was put in.

WILLIAM DAVIS was the next witness calted. He is an examiner in Mr. Lushington's office; he compared a paper shewn to him? it might have been with the original or the draft; the paper with which he examined it was in the office.

Mr. LUSHINGTON was again called by Mr. CLARKE. Dr. Bryce had permission to go to Europe in 1819.

The ADVOCATE GENERAL.—The permission was in writting.

Mr. CLARKE said that it was lost.

The ADVOCATE GENERAL. Then you must prove it to be lost.

Mr. CLARKE then called Mr. J. M. THOMAS, Witness had a letters in his possession, granting to Dr. Bryce permission to go to Europe; he had made strict search for it, and cannot find it he gave it to copied, and it is lost.

Cross-examined by Mr. TURTON.—He gave it to his writer to copy, but does not know who the writer was; perhaps it is only mislaid and that it may be found when he does not want it; he had made strict search for it.

After some disscussion as to whether a copy could be received as evidence or not, Mr. Thomas's examination was proceeded in.

In reply to the BENCH. The letter was copied into the brief; it was tried up with other papers and numbered.

Cross-examined by Mr. TURTON.—Is personally as well as professionally acquainted with Dr. Bryce; has heard of the letters signed "A Friend to Bankes has never heard except professionally from Dr. Bryce who is the author of them; has never heard from any other person who was the author of them; he has generally heard who was the author of them; has heard it surmised that Dr. Bryce was but knows that he is not; he knows this from what he hears and believes; has heard it generally reported among his limited acquaintance that Dr. Bryce was the author of them; in common conversation Dr. Bryce was said to be the author of them; as far as witness could Judge it was believed; he once believed it to be the case as firmly as he now believed the contrary.

Re-exmined by Mr. CLARKE. He believed Dr. Bryce to be the author of the letters from what he saw in the Journal, and believed that others were led in like manner to believe to it.

JAMES WARE was examined by Mr. PEMBERTON. Witness knew Dr. Bryce before 1818; believes he went to Europe that year;

witness went about the same time; witness is an elder of the Church of Scotland; sat in the General Assembly along with Dr. Bryce that year for India; no one sat for any other foreign place; that was because no other foreign place could be represented there; has seen some of the publications which are the subject of this action; perhaps about half of them has seen a letter signed peter pounce; his attention was drawn to it some months ago.

WILLIAM GRAHAM examined by Mr CLARKE. Witness bought two volumes of the Journal at the office of that paper; put his name on them,

Cross examined by Mr. TURTON. He purchased them on the 19th of April last; put his mark on them a few days after; they have been out of his possession; does not know whether it was before or since he put his name on them the state in which they were now was that in which he bought them.

The ADVOCATE GENERAL said that he did not consider the papers proved, but as he was unwilling to detain Dr. Hare, he had no objection to their being out into his hands.

Dr. HARES examination was then resumed—Looking in the Journal of the 1st March—saw a letter signed "PETER POUNCE" By a "reverend divine who had returned to Scotland from a foreign land," he understood Dr. Bryce was meant;—he heard of this about the time it was published and it was recalled to his recollection by one of his friends some time ago; remembers a transaction of the General Assembly to which it might refere, but the relation is so remote that it is difficult to conceive how it could be so perverted; (the Advocate General objected to this circumstance being given in evidence, and it was accordingly not gone into.) Witness has not read the Journal from the beginning of the year; thinks that the publication of what he has seen, has been prejudicial to Dr. Bryce's character; it is difficult for him to say how and to what extent it had affected him (Witness was desired to look at the Epigram signed "ONE OF THE MANY OF THE COMPANY'S PEN-KNIVES,) He had read it; in consequence of the publication of these arcles he has often heard Dr. Bryce reprehended for having accepted of the office of Clerk to the Committee; does not know by how many people he has heard him blamed for this; has no doubt these publications injured his character generally; he has been so long in India that it is hardly fair to ask him if he knows the habits of the Scotch clergy; considers himself justified in saying that he knows one of them who is editor of the Christian Instructor; does not understand what is meant by its being like other magazines; it is covered with blue paper; it contains miscellaneous matter; witness is a member of the Kirk Session at St. Andrew's Church; Dr. Bryce officiates there.

Cross examined by the ADVOCATE GENERAL—A good sermon often contains miscellaneous matter; Dr. Bryce published a volume of sermons; does not remember his conducting a religious work; does not know much of his conduct; knew him conduct a common newspaper called the Asiatic Mirror; he used to read it; believes it was the most belligerent paper in Calcutta; both politically and personally it was carried further than witness understood it; some points of controversy were carried on very sharply; not know whether any attack was made by him on Mr. Buckingham; does not recollect any being made on Mr. Fullarton, knows that Dr. Bryce suffered in the estimation of his people by editing the Mirror; does not believe that he suffered in the estimation of the great body of the people; believes no Elder disapproved of it; the address to Lord Hastings was while witness was away; it was one of the rejected addresses; witness was present when a late address was proposed to the Marquess of Hastings; does not know whether it was written by Dr Bryce; knows the Oriental Magazine, believes Dr. Bryce is the Editor of it; does not know whether it is the opinion of his congregation that Dr. Bryce is too eager in interfering with worldly matters; he calls the Elders, but does not appoint them; believes that he has edited the Oriental Magazine, thought something shewn him in P. 74 of that work alluded to the editor of the Journal; with regard to the letter signed "PETER POUNCE" witness was not sure whether the impression on his own mind that it referred to Doctor, Bryce was spontaneous or given to him by some one else, he applied it to him then and does now; if he had not been in the General Assembly, he could, with the knowledge of other facts have said that it referred to Dr. Bryce if nothing had happened which had alluded to Dr. Bryce could not have considered this as referring to him; this appeared to him to be very pointed and he may have told others that he thought so.

GOPAL DUTT examined by Mr. CLARKE. He has been employed in the Stationary Office since 1813; the Company's Penknives have a particular mark, recollects very well what letters compose the mark; they are E. C. I. V.; writes the advertisements and sends them for signature to Dr. Bryce; they are afterwards sent to the Government Gazette. The ADVOCATE GENERAL again called Dr. HARE—He believes the phrase "holy orders" is an episcopal one; should consider a person set aside for the ministry as in holy orders; always heard the term applied to English clergymen only; on being asked whose tail he thought was meant by the words "to whose tail the accompanying out to be *gummed* &c. he said that he thought that it meant it ought to be gummed to Dr. Bryce's tail; does not know to what tail; it created laughter in him, but he believed the auther of it was in a different mind; did not know whether in the allegorical representations of the devil he was represented with one foot cloven and the other very handsome; was not skilled in those things; never heard of the devil playing at picquet, and hiding his cloven foot while he exhibited the other.

Re-examined by Mr. CLARKE.—There could be but one opinion as to the feelings of the writer that he intended to hold the plaintiff up to contempt; Dr. Bryce administers the sacrament; believes he marries and baptizes; it would be considered contrary to the rules of the church if he were not in holy orders; he might have been prevented if he had not been in holy orders; there are degrees in the church of Scotland; there ought to be as many lay as clerical members in the church; licenciates are persons having licences, but not specific charges.

Mr. LUSHINGTON was again examined by the ADVOCATE GENERAL.—Witness was present on two occasions when meetings were held in the Town Hall for the purpose of addressing the Marquess of Hastings; on the first occasion Dr. Bryce proposed an address which met with opposition; plaintiff shewed much warmth; does not recollect that he was particularly violent; does not remember him knocking on the table. On the last occasion he came forward with some address; there was much clamur at the time; witness was present at the time an address was proposed to Lord Hastings before he went up the country and when another was proposed on his return; on that occasion Dr. Bryce made a proposition also; his address was addopted after much clamor: Dr. Bryce was not, in witness's opinion; the loudest in the clamor; he was warm upon the first occasion and upon the second was not cool.

Re-examined by Mr. CLARKE.—Saw nothing on either of the occasions absolutely opposed to his character as a minister of the gospel.

DOCTOR GRAHAM examined by Mr. PEMBERTON.—Has read the article headed "IMPORTANT QUERIES" in the Journal of the 23d February: in his oppinion it relates to Dr. Bryce; has also read all the other libels, the cause of this action, and thinks Dr. Bryce is alluded to in them all; it is perfectly consistent with his knowledge that Dr. Bryce in consequence of the publication of these libels has sunk in the estimation of his (witness's) friends; he does not mean in Calcutta but at Gorruckpore; has heard people say they have changed their opinion of Dr. Bryce for the worse; generally speaking is acquainted with the habits and usages of the Church of Scotland; knows a minister who is Editor of the Christian Instructor; knows several who are engaged in other secular employmen: knows several who are openly engaged in trade; these persons, so acting, are unquestionably not considered as acting in violation or contempt of the laws of the Church of Scotland, or the spirit of its constitution.

Cross-examined by Mr. TURTON.—He is not aware that his testimony is inconsistent; does not think that the wild party consider it inconsistent to carry on trade, as one of them is engaged in trade himself; he sees no objection of their being taylors or shoemakers; sees no objection to their writing plays; one of the most eminent divines wrote one of the best tragedies; has no objection to their performing; it would be derogatory to perform Punch; is not aware that Mr. Home was expelled from the church for writing that tragedy; the General Assembly are more liberal now then formerly; the Church of Scotland tolerates its ministers being engaged in secular employments; has seen a book called "Confession of Faith;" that is not the foundation of the belief of the Church of Scotland; a clergyman hunts in England and that is not considered derogatory; never heard the term "hunting parson" used as a reproach; there is no synonymous term in Scotland, such as a trading parson or a cobbling parson; conceives that a Scotch parochial clergyman has a great deal of leisure.

JUST HENRY ALT examined by Mr. CLARKE.—Witness is professor in the Bishop's College; does not remember the libels immediately himself, but has heard them spoken of generally and read to-day; when they were the subject of conversation. Dr. Bryce's name was connected with them; it appeared that Dr. Bryce had fallen in the estimation of those conversing about them; they must have injured him in some manner; the persons whom he heard conversing did not know Dr. Bryce personally.

Cross-examined by the ADVOCATE GENERAL.—Witness is not in holy orders, and is too old to enter into them; is decidedly of the persuasion of the Church of England; has not been educated particularly for the Church of England, but in it; does not believe on the spur of the moment that a Presbyterian clergyman is in holy orders, because he is taught to look for apostolical or episcopal ordination; if he were reduced by want, he would see no objection to his becoming a tradesman; does not know who could interfere with a clergyman carrying on trade; he has not studied the canons; there is an act of Parliament to that effect; has never known a clergyman of the Church of England carry on trade and keep his living at the same time; he has no doubt however but that many do it privately; has no doubt but that many are sleeping partners in mercantile concerns; there would be nothing unworthy a needy clergyman

in doing so; considers that a clergyman ought to enter into so very low trade; considers Dr. Bryce, as he has had ill health here, to be a man who should make the best of his time in this country; in his case it would not be degrading; the learned counsel may call him avaricious, but nothing else; a person having a salary attached to his office, and who from sheer love of money should aecept of this situation, would act in a manner derogatory to his character; a person not requiring money who should accept of this situattion would do wrong; knew some people who who were not satisfied with 8000 rupees a month as long as they could get more, and did not think there ought to be so great a difference between a clergyman and another man.

PETER STONE DO ROZARIO was called to prove the publication of the libels, but having stated that he was Printer of the Calcutta Journal, he was warned by the Advocate General that he need answer no question, and nothing more was asked him.

SANDFORD ARNOT was then called for this purpose, but with the same sneeess.

THOMAS HECKFORD was recalled.—Witness believed the papers produced, containing the libels, were printed at the Calcutta Journal Office.

Mr. CLARKE stated that this was his case.

The ADVOCATE GENERAL.—Then, my Lord, I may consider the case as closed on the other side.

Sir A. BULLER.—If any thing has slipped the memory of the counsel for the plaintiff they had better think of it now.

After a few moments consideration Mr. CLARKE called Mr. HOBHOUSE.—Witness is a magistrate, deposed to some affidavits swern before him, they were signed in his presence.

Cross-Examined by Mr. TURTON.—Was at the Town Hall when the address to the Marquess of Hastings was proposed by Dr. Bryce—one address was proposed by Mr. Udny and another by Dr. Bryce; the latter was very warm; he made a noise in speaking; did not notice his thumping the table; the second time witness did not see him there.

The ADVOCATE GENERAL then made the following objections to the proceedings. The publication was not proved; affidavits alone were brought to prove two of the defendants proprieters. Dr. Graham swore that publication took place on the 19th, but this was not proved, nor was it that Messers. Ballard and Palmer were share holders on that day. All must rest then upon the evidence of Mr. Heckford, and he had sworn that they did not receive any profit up to February. It was stated too that no one had larger shares than these two defendants, and it was not proved that they had any shares at all. These the learned councel stated were his objections to the proof of the publication, but he had many more as to the plaint.

Having gone through the objections to the case; the ADVOCATE GENERAL proceeded to the defence. On this occasion he had the honor he said to address the Court for the defendants who resisted the claim for 100,000 rupees damages so modestiyy demanded by the plaintiff. After the case His Lordship had heard, he was convinced that a very small modicum of this sum only would be awaided to him. Of the questions which had arisen out of Dr. Bryce's appointment to the situation of Clerk of rhe Stationary Committee, he would not say a word, because the appointment had been made by those who were the best judges of the propriety of it. And there could not be the shadow of a doubt that a gentleman who had consumed so many of the articles in question, pens, ink, paper, and sand, must be an excellent judge of them. If any one were fit for the office and a judge of the articles, surely a man of such talent as the plaintiff was fit for it. There could be no doubt that it was inconsistent with the character of a minister of the Church of Scotland to accept of such a situation, and every one had said so with the exception of the two last witnesses, whose evidence he would leave out of the question, who had talked of their shoe-making and tayloring parsons. Dr. Halliday had said, that he, not being a minister of the Church of Scotland, would accept of the situation, but he said, at the same time, that it was an office, which not only the wild class in the Church of Scotland, but the great body of the people, would condemn a minister for accepting. The learned counsel only asked that the month of the public should not be shut, and he contended that it was the right of the public, and of the congregation of Dr. Bryce as a part of the public, if they disapproved of his conduct, to be allowed to exprsss it. His Lordship heard of his Editting a Newspaper, of his filling this situation; he had also heard his eulogium; he had heard him entitled the priest of the Creator; the high priest of the Most High, but notwithstanding this eulogium and these designatious, he could only come to one conclusion from the evidence before him, and that was that he was actuated in accepting this office by love of money. The learned counsel remarked that he never before saw a record like this: it set out in the first place with what was not proved. The plaintiff had been described as in holy orders; and unless this was proved, he could not expect a verdict. If a person were not rightly described there was an end of the action altogether. With regard to his being a military chaplain the same remark applied, for that had never been proved. He was described also, as holding the situation of Clerk to the Committee of Stationary in the civil service of the Company. Now, the learned counsel contended, in all acts of parliament, and in common parlance, by a civil servant was meant, a person appointed by the Government at home to the civil service. His learned friend had tried first to prove him in the civil service, and then to prove the Committee in the civil service, and had failed, because it appeared that some of its members were in the civil, and some in the military, service of the Company. But he would take the language of the Acts of Parliament; he would take that of Mr. Lushington; and he would affirm that they had not proved the plaintiff to be in the civil service of the Company. With respect to the other counts, another thing had been lost sight of. From beginning to end, there was no averment that the libels had been published of Dr, Bryce as a Minister of the Church of Scotland. But then is learned friend replied first, that he was so; then; that he was clerk to the Stationary Committee; then that he was the said James Bryce but he had never yet seen a count, where a plaintiff was first of all describedas being in holy orders, and afterwards as appraiser of pens, ink, paper pounce and gum. It is not thus however that Dr. Bryce would avail himself of his clerical character, for these publications would refer to him precisely in the same manner as to any other tradesman in Calcutta,—but it would not affect him as a minister, because such a statement was no where to be fouud in the averment, and in such manner as the libel would affect any one God's creatures, in that manner it would affect Dr. Bryce.

The learned counsel after having gone through the other libels came at last to the lines appended to the letter signed "CRISPUS," and of this he considered the concluding inuendo, which was construed to mean that the plaintiff had risen to his present rank by mean and low arts'—This was said hypothetieally and the defendants had a right to say so.—Now if they meant this to apply to Dr. Bryce as a minister of the Church of Scotland they should have said so, or if it applied to him as Clerk to the Stationary Committee, they should have said so, but it was merely stated that James Bryce had done so and so, and wished so and so and that in consequence he had got this situation.

This brought him, the learned counsel said, to the Penknife libel. It was stated that it was the duty of the plintiff to give notice that he would receive proposals for the supply of certain articles, but not one iota of proof had been brought that this was part of his duty. The advertisement ought to have been brought in full: an advertisement for sealing wax would not do; for pounce would not do; for ink would not do; for &c. would not do; no; the advertisement must be for ink, paper, pens, pounce, gum, tape, leather, and every thing else for which he did advertize. It was then stated that the Hon'ble Company's penknives were branded on the hand; (they must be curious penknives which had *hands;* and they were branded too; why they must have been guilty of manslanghter then,) with the letters V. for U. and then I. and then C. and then E.; thus composing the word VICE; (so that V. must be made into U. before VICE can be got at) but which really stands for "UNITED EAST INDIA COMPANY: but what ee would ask, had the Honorable. Company and Vice to do with each other. But when they came to VICE as it was in the heart, (and it was as much like a harp as a heart) the order in which the letters really were placed was VECI, so that the V must be made into U; the E into I; and the I into E before there was any vice in it. Now this was certainly a fatal error.

The learned counsel said that if Dr. Bryce was really the writer of the letters of "A FRIEND OF BANKES" which they dared not to produce in evidence, but of which he was the reputed author and which he has not denied; if he was the author of them, he ought to be stripped even of common employments. It was not enough for the letters to be spoken of, if they were not produced, and the learned counsel repeated, that they were nefarious libels, and the writer of them, even if Dr. Bryce were the man, ought to be stripped of his gown and degraded in every way. The learned counsel could not look over the plaint without observing such things as he had pointed out, and he thought no lawyer could lay his hand on it and say that it was snpported by law or practice. It was enough for him that words had been put into his mouth, and that they had made inuendoes

which had the effect of changing the libels to what they wished them to be. These inuendoes they had not proving them was disproving them. He therefore hoped for a verdict on all the counts.

The learned counsel said whether or not the gist and substance of the remarks on Dr. Bryce. was that by his activity in promoting addresses: his eagerness in accepting of this appointment: and his warmth in newspaper discussions, he had not gone out of the line of his duty, and thus deprived, himself of the protection of his religious profession. That he had gone out of the situation in which he was placed by those who sent him here could not be doubted. He had been placed here to preach the gospel, and to preserve the public morals, and if he had left the paths, which, the learned counsel said, he was happy to remark were so honorably filled by the English clergy, and no comment was to be made upon this conduct, either in public or private, then the rights of society were at an end, and it may justly be feared that the clergy instead of being an example to the public may become the reverse, and the morals of the public be impaired, instead of being improved, by their example. The learned counsel's speech, of which this is the conclusion was more animated than any we remember to have heard in the Court, and our only regret is, that we have been unable to give a more full and correct account of it.

The ADVOCATE GENERAL declined to call any witnesses, although many were in attendance, but stated to the Court that as the libels were extended by the inuendos, and as he had addressed himself to a verdict, Mr. Clarke had no right to reply. The right was waived by Mr. Clarke, and the Advocate General having expressed a hope that to-morrow he should have an opportunity of comparing the record, the Conrt adjourned at about a quarter before eight o'clock.

SECOND DAY, TUESDAY JULY 22ND 1823.

At the opening of the Court this day, Mr. Mactier the clerk read the libels, while the Advocate General and Mr. Turton compared them with the record and plaint, aad pointed out the variances as they occurred. This afforded much amusement to the persons who crowded the Court, both from the manner in which it was done, and the remarks which it from time to time elicited, but which we regret neither our limits nor time will permit as to insert as we intended to have done.

These matters having been gone through, the ADVOCATE GENERAL asked for the judgement of the Court on the variations in the first instance.—The judge must decide at *nisi prius*, and therefore he asked now for the judgement of the Court.

Sir A. BULLER, said that he would grant the defendants leave to move in arrest of judgement or for a new trial.

The ADVOCATE GENERAL said that he would never move for a new trial; he had rather move for an appeal.

After some further remarks, Sir A. BULLER proceeded to give judgement. and concluded by observing that It was very unpleasant to determine the amount of damage at any time but in this case, and under the circumstances he had referred to, he should give a virdict for the plaintiff on all the five counts, at the rate of 400 rupees each count amounting to 2,000 rupees and costs.

[*Bengal Hurkaru July* 26.

Mission to SIAM and COCHIN CHINA.

We have been favored with the official report of the proceedings of the late Mission from the Supreme Government to Siam and Cochin China, and we are now authorized by Government, to lay before our readers the substance of such parts of it as relate to the character, Commercial Interests, and Resources, of the Countries which Mr. CRAWFORD visited.

But before we enter upon Mr. CRAWFORD'S Report, we may briefly notice the endeavours of the East India Company to settle and prosecute trade at Siam and Cochin China. The particulars are to be found in the Appendix (C) to the Report of the Select Committee of the House of Lords, relative to the trade with the East Indies and China, pnblished in 1821. And first of Siam.

In 1610. Captain Middleton settled an English Factory here, which continued for some years. The English at Jaccatra (Batavia) were in Correspondence with the King of Siam in 1623; but the Factory appears to have been subsequentiy withdrawn.

In 1662, the King of Siam expressed himself desirous that the English should settle a Factory in his dominions. The Dutch had at that time a large commercial intercourse with Siam, landing there forty Ships yearly.

In 1664, they provoked a quarrel with the King aud the next year obstructed the English trade in these Seas, which was the object of their jealousy; the settling of a Factory was under these circumstances deferred.

In 1671 the Court approved the proposal for settling a factory at Siam, if it could be accomplished.

In 1674, the King of Siam renewed his overtures for an English factory in his dominions, which was accordingly effected in 1676, in the hope that it would eventually produce a trade with Japan.

Upon the opening of this intercourse, the tin trade of Siam was expected to prove beneficial and it was thought that a Siam trade would prove more beneficial than even a Japan trade.

Siam was also considered capable of affording a mart for great quantities of broad cloth; and the English Agent at Bantam wrote a letter to the King of Siam, recommending to him the encouragement of a broad cloth trade, as necessry to the maintenance of an English factory at Siam.

In 1679 it was discovered that Siam itself consumed but little broad cloth, the sale of that commodity depending on China and Japan.

In 1680 it was resolved to recal the factory at Siam, the trade not answeitring.

But in 1683 and 1684, it was resolved to re-establish the factory at Siam, the station still being considered favourable to the prosecution of a Japan trade, in which great hopes of success were entertained.

Sir John Child accordingly, in 1685, addressed a letter to the barcalong, or prime minister, of Siam, describing the difference between the Company's servants and private traders, some misunderstandings having arisen from that difference not being understood. Another letter was addressed to the King of Siam, who it is observed, is favourable to foreigners, and that Siam was a port of considerable merchandise; and that therefore the Company's former losses were to be attributed to bad management and the malignity of the prime minister, Constantine Phaulkon, who was an Italian.

In 1687, there was an insurrection of the Macassars at Siam, by which the country was thrown into confusion, and the prime minister narrowly escaped. The Macassarese were all destroyed.

It appears by a letter from the president of Fort St. George to the king of Siam, dated in 1687, that the Company's losses, arising out of the troubles, amounted to 65,000*l.* for which satisfaction was demanded, or war would be declared.

In 1688, there was a massacre in Siam.

The Company were this year advised that six French men of war, with 1,400 soldiers had arrived to assist the king of Siam; and that Constantine Phaulhon, the king's prime minister, had been made a count of France.

In 1704, it was suggested that some principal Chinese merchants had built large houses at Pulo Condore, and it was believed that trade with Siam, &c. might be carried on from thence; and that the Dutch would settle there when the English left it.

In 1705, the Governor of Fort St. George addressed a letter to the king of Siam, desiring a renewal of former friendship, which had been interrupted by a late ambitious minister, Constantine Phaulkon.

In 1712, the bar calong, or prime minister of Siam, invited the English to make a settlement there, and offered a coul, the same as had been granted to the Dutch. It was stated that the Siam trade was advantageous to Japan, as the Siamese carry silver yearly to purchase 4 or 5,000 chests of coffee.

It appears that Siam was at this time, and for many years subsequent, in a state of internal disorder.

The following relates to Cochin China.

In 1619, the English at Japan made an unsuccessful attempt to trade with Cochin China. The factors, both English and Dutch, were massacred.

The English residency at Batavia reported to the Court in 1627, the continued measures of the Dutch to exclude the English Company from commerce with the continent and islands of South-eastarn Asia, particularly Siam, Cambodia, China, and Japan.

In 1695, the Madras government sent Thomas Bowyear, a supra-cargo of the ship Dolphin, to Cochin China, with instructions to request commercial privileges for the English. Mr. Bowyear's letter to the Madras Government, dated 30th April 1696, which gives a detailed account of his proceedings represents various inconveniences and impediments to trade, to which foreigners were there subjected, arising out of the arbitrary character of the government of this country.

In 1749-50, the French made an unsucessful attempt to open a commercial intercourse with Cochin China; and in the latter year, Mr. Robert Kirsop was there, from whose report it ap-

peared that the king and nobles engrossed the trade of the country. In 1777-8, the captain of the Rumbold, country ship, which had made a voyage to Cochin China, reported favourably of that country as a mart for European commodities. He had brought with him two Cochin Chinese mandarins of considerable rank, who were prevented landing in their own country by stress of weather, and were respectfully treated by the English at Calcutta; in consequence of which, Mr. Hastings, then governor general, deputed Mr. Chapman to Cochin China, to endeavour to open a commericial intercourse with that country. Mr. Chapman returned to Bengal in 1779, having failed in the object of his mission, and been in fact forced out of the country, escaping with some difficulty; but laid before the Bengal Government a narrative of his proceedings, accompanied by valuable geographical and historical memoranda.

In 1793, a Mr. Simpson made a representation to the Bengal government, respecting trade to Cochin China, and requested a letter of credit to the king, with a view to the security of his property. With this request Lord Cornwallis, the then governor general, did not deem it expedient at that time to comply; and the subject was reserved for further consideration.

In 1803, Mr. Lance was deputed by the secret committee of the court of directors to Cochin China, with a view to open a commercial intercourse. He addressed a letter to the king in his voyage cutward, but being taken ill, proceeded to China, and there resigned his commission to Mr. Roberts, who came immediately to Touraun Bay, and entered into correspodence with the king, the Portugueze missionaries, and the French gentlemen who were at the court. The mission failed, chiefly, as was supposed, through the influence of the French.

In April 1804, Mr. Roberts went from China to Bengal, where he submitted the detail of his proceedings to Lord Wellesley, then governor general, and obtained a letter from his lordship to the king of Cochin China, with which he proceeded on a second mission to that place, but was less favourably received than on the former occasion. The failure of his second attempt was particularly ascribed to the hostile influence of the French and Portuguese over the king.

In 1807, Lieut. Ross was sent to the Coast of Cochin China, to survey the paracells, and entrusted with a friendly letter to the King, but experienced the most inhospitable treatment.

In 1808, the Bengal Government consented to interfere, by letter, with the King of Cochin China, to procure payment for some timber furnished to him by Messrs. Abbott and Maitland, merchants of Madras: but this application, which has since been repeated, has proved ineffectual.

Having thus adverted generally to the exertions that have been made during a period of about two centuries to establish a commercial intercourse with Siam and Cochin China, we now come to the substance of Mr. CRAWFURD's Report of the Mission from the Bengal Government in 1822.

Siam. The Kingdom of Siam, though reduced in its geographical limits within the last half century by the encroachments of the Burmans, is probably at present of more solid strength and resources than at any former period of its history. The Siamese territory extends to the South as far as 7' North latitude, and the Malayan tributaries of Siam as far as 3'— To the North the extreme confines of the Siamese territory extend, as far as could be learnt, to latitude 25'. On the Bay of Bengal, however, the Siamese territories reach at present no further than the Port of Taucy belonging to the Burmans, in latitude 13 North, and longitude 98. East. On the East Coast of the Gulf of Siam its territories extend to latitude 11° and to longitude 104° East as far as the port and town of Athien or King-Kao, which itself is in possession of the Cochin Chinese. The neighbours of the Siamese to the *North West* are the Pegu or Monace, subject to the Burmans, to the *North* the Burmans and Chinese of the Province of Younan, and to the East and South East the Kambojans and Cochin Chinese.

The natural advantages of Siam in point of harbors, rivers and internal navigation are very considerable. The navigation of the Gulf itself is one of the safest and easiest in the Eastern Seas. On its West Coast are the ports of Sungora and Ligor, and that of Ban-don, less known. This last is formed by the mouth of a River, where there is fourteen or fifteen feet water, and which is therefore navigable for Vessels of considerable burden. At the head of the Bay are three Ports formed by the three *embouchures* of the Me-nam. At the western and the middle one of these called Mek-long and Ta-chin, no more than eight feet water are found at spring tides, so that they are inaccessible to vessels of any considerable burden. The Eastern branch of the Me-nam, or that of Bang-kok, is the great Port of Siam. This is navigable with ease and safety to all merchant vessels under two hundred and fifty tons.

Towards the Eastern Coast of the Gulf, the merits of one harbor, that of the Si-Chang Islands, were determined by actual survey. From this indeed down to the latitude of 11° the Coast is so thickly crowded with islands, having navigable channels and good anchorage between them, that it may almost be looked upon as one great harbor throughout. The principal Ports of Native Commerce in this quarter are Chantilum and Tang-yai, the principal seats of the culture and trade of Pepper, Cardamums and Gamboge. Chanti-lum the most important, has an extensive Chinese population engaged in the Pepper culture. The town is about fifteen miles up a small river, which has no more than five feet water at its entrance, but off this, where there is shelter behind the neighbouring Islands, it has water enough for Ships of considerable size. To these Ports the Siamese do not admit strangers.

The wide extent of the Siamese dominions admits of great diversity of soil and productions, and it may safely be said, that no country in the world is more highly gifted by nature—Its productions in the mineral, vegetable and animal kingdoms are not only of great variety, but such as are well suited to stimulate commercial enterprize, and attract the resort of foreign nations.

In the mineral kingdom the products are Iron, Tin, Copper, Lead, and Gold; the Iron mines are found at from two hundred to three hundred miles distant from the capital, and to the North of it, either directly in the neighbourhood of the River, or very near to it. Much of the ore is imperfectly smelted upon the spot, and in this state carried down to the capital, where it is fabricated into culinary and other utensils. The Chinese have of late years entered with spirit into the smelting and manufacture of Iron, and consequently it forms at present one of the most valuable articles of exportation, and is sent in large quantities to the Malayan Islands, Kamboja, and Cochin China. The small labor at which this product is obtained in Siam is implied in its price,—a Picul of the common bar Iron costing no more than four Rupees.

Tin in Siam is diffused over more extensive geographical limits than in any other part of the world, and for productiveness the mines of Junk Ceylon may be considered to stand next in rank to those of Banca, if they be not indeed in this respect equal to them: neither however the mines of this metal, nor those of Copper, Lead or Gold, have in Siam experienced the benefit of the industry and enterprize of the Chinese, and the produce therefore is comparatively of small importance. The Tin and Gold mines are wrought by the Siamese, those of Copper and Lead by some of the mountain tribes, who deliver them as tribute. The quantity of Tin which finds its way to the capital, and is from thence exported, amounts to eight thousand piculs, or about five hundred tons.

Although the alluvial tract of the Me-nan and other spots be highly cultivated, yet from all the information that could be obtained, the far greater portion of the country is covered with primeval forests. The most valuable productions of these are Teak-wood, Rose-wood, Eagle-wood, and Sapan wood. The Teak is of the same quality with that of Ava, and found indeed nearly in the same forests. It is floated down to the capital of Siam, often to a distance of three hundred miles. Little of this is exported by foreigners: The Siamese themselves construct their large Junks of it, and four or five of these are always to be seen on the stocks at the capital. A close grained wood of a red color, somewhat resembling Mahogany, and called by the Portuguese "Pao Roza," or Rose wood, is produced in abundance in the forests of Siam. This wood, which is fit for furniture and ornamental purposes, is exported in very large quantities by the Chinese, particularly to Canton and the Island of Hoi-nan.

The most valuable produce of these forests however, is probably the Dye-wood, called Sapan. There is no part of the world that gives this production in such cheapness or abundance. It forms the dunnage of all the Chinese Junks, and the principal parts of the Cargoes of many of them. The precious perfume called Agila or Eagle-wood, is obtained in the Islands on the East Coast of the Gulf of Siam, and some on the Mountains of the Continent: this commodity, which is in great demand in all the Western countries of Asia, is believed to be the exclusive production of Siam and Cochin China.

The staple productions of culture are Rice, Sugar, Pepper, and Tobacco. The great Rice country is of course the tract subjected to the inundations of the Me-nan. This portion of the country is of remarkable fertility, and yields Rice with a comparatively small portion of labor,—so that there is no place where, in ordinary years, grain can be had at a cheaper rate than in Siam.

Sugar was first produced in Siam from the Cane about thirteen years ago, when the Chinese, in consequence of some additional privileges, conferred upon them by the Court, entered upon the cultivation of the Cane: in a very few years afterwards the commodity began to be exported, and such has been the rapidity of the growth of this branch of industry, that it is reckoned that at present not less than eighty thousand piculs are annually exported.

Pepper is another article, the culture of which is in the hands of the Chinese.—The East Coast of the Gulf, about the latitude of 11° and 12° are

the Countries in which this branch of Agriculture is successfully carried on.—The quantity of this article which is exported, and almost entirely to China, is about sixty thousand piculs, which is four times the quantity produced upon Prince of Wales's Island, and equal to the whole production of the West Coast of Sumatra, hitherto considered to afford the great bulk of all the Pepper of Commerce. The Siamese Minister informed the Mission that upwards of forty thousand piculs were annually given in as tribute to the King. The branch of revenue arising from this monopoly is realized nearly on the same principles as the forced deliveries of the Dutch, in this same production, in Coffee, and in orther articles.

The same portion of the country which produces Pepper, produces also large quantities of Gum, Gamboge, and Cardamoms, the latter of a fine quality, and in great esteem amongst the Chinese. Benjamin is produced chiefly in the kingdom of Lao, and has of late years been exported in considerable quantities. This is a commodity which has commonly been supposed to be peculiar to the Islands of Sumatra and Borneo.

Of annual products a remarkable variety, applicable to the purposes of Commerce, is afforded by Siam. The Chinese deal extensively in almost all of them. These consist of Hides, Peltry, Horns, Bones, Ivory, Feathers, Salt-fish, Sticklac. and esculent Bird's Nests.

The Hides consist principally of Deer skins, of which the Dutch used in former times to take from Siam to Japan about one lack and fifty thousand a year, with Buffaloe or Elephants and Rhinoceros's Hides. The Peltry consists of Tyger, Leopard, Otter, and Cat skins, besides the Horns exported for economical uses. Rhinoceros's Horns and Deer's Antlers, in a peculiar stage of their formation, are exported by the Chinese for their supposed medicinal virtues. Of bones, an immense quantity is carried to China. A few of them for medicial purposes, but by far the greater quantity to be ground down and used as a dressing for the highly cultivated, but exhausted soils of some of the most populous districts of China.

Sticklac of the finest quality, which is any where to be found, forms a very valuable product. It is chiefly obtained from Lao and the Northern parts of the Country. Of this production not less than eighteen thousand piculs are annually sent to China.

One valuable article remains still to be mentioned,—Culinary Salt, which is produced in a degree of excellence and cheapness which is no where exceeded. The commodity is manufactured in the districts lying upon the Central and Western entrances of the Me-nan; the whole is obtained by solar evaporation, and the peculiar fitness of the soil and climate for the manufacture is sufficiently indicated, not only by the cheapness of the Salt, but by the size and purity of its crystals: this commodity is brought to the capital, and easily distributed over the most populous parts of the Country by means of the innumerable Canals or small Rivers which intersect the tract of inundation: the traffic in it indeed constitutes the largest branch of Native Commerce.

From Western India, in exchange for these, they receive Opium, Cotton Piece-goods and a small quantity of embroidered Silks. Of Opium, from the best information that could be obtained, the annual consumption seems to be about two hundred chests. The whole of this is the product of our Bengal provinces, and indeed it is believed that no other description of Opium has ever been tried in the Siamese market, notwithstanding the enhanced price; the consumption has been encreasing from year to year with the encreasing foreign commerce o the Country. The current price, previous to the extraordinary rise, was five thousand ticals a chest · allowing this price for the quantity consumed, it appears that the Siamese pay a million of ticals a year for our Opium, or about a million and a quarter of Calcutta Rupees.

The Cotton Piece-goods of India, especially the Chintzes of Surat and the Coromandel Coast, appear from time immemorial to have been articles of considerable demand. About the Capital especially a very large proportion of the population is clothed with these articles. The Mission was informed that the annual quantity either imported direct by European vessels brought by Junks from Batavia and the Straits of Malacca, or across the Peninsula, does not fall short of five hundred bales.

Of European manufactures those most in demand among the Siamese are white cotton goods, cheap woollens, fire-arms and glass-ware. The taste for this class of commodities appeared to be so good amongst the Siamese, that nothing seemed wanting to give the branch of trade connected with it value and stability, but a moderate share of freedom and security.

The foreign trade of Siam is conducted with China, Cochin China and Kamboja, certain native Ports of the Indian Islands, Batavia, the European Ports in the Straits of Malacca, British India, and America.

Of all these the trade with China is incomparably of the greatest value and amount.—This conducted with almost every port of that great Country, being by no means confined like the trade of Europeans to one part of that Empire, or two at the most.—The trade with the Provinces of Canton, including the Island of Hoinan and Fokien, is the most considerable; but there is also a trade carried on with the more northern Provinces of Chi-Kiang and Kingnan.

The trade of Cochin China and Kamboja is chiefly conducted with the ports of Saigun and Kang-Cao, and compared to the latter is very inconsiderable indeed in point of amount.—Their Junks are also exclusively navigated by Chinese mariners. The main exports from Siam are Iron, and the imports raw Silk.

The trade with British India is conducted principally from Surat and Bombay, and occasionally from Bengal. During the long war with France, when every other branch of this trade ceased, the Surat Ships, generally from two to three, annually continued to frequent the Port of Bang-Kok.—The Supercargoes of these Vessels have generally been Parsees or Mahommudans; they have commonly imported Gold and Silver, Silk tissues, and printed Cloths, the manufacture of Western India, and have carried away Benjamin, Gamboge, Eagle-wood, Sapan wood, and of late years Sugar.

It appears that the Native trade of Siam, conducted exclusively by the Chinese, amounts to near thirty-nine thousand tons, and that supposing the Chinese Vessels require, as is probable, three times the number of mariners that an European vessel does that, this trade gives employment to above eight thousand hands.

If to this Chinese trade be added eight hundred tons annually for the American trade, and one thousand for that of British India, and we conjecture the Native Malayan trade also to amount to about this last sum, then we shall have an aggregate for the whole trade of forty-one thousand and eight hundred tons.

The Custom-house duties consist of an impost upon goods imported and exported, and duties upon tonnage or measurement. The imports upon goods often purport to be an ad valorem duty, but rudely assessed. Upon the import Cargoes of Europeans vessels it is levied as a per centage upon the whole value, as appreciated by the Officers of Government. With respect to the tonnage or measurement duty, it varies with the place or nation with which the trade is conducted. The direct trade with the continent of China, and which is really carried on by the native shipping of the port of Bangkok, is on that account free from all impost, whether on goods or tonnage. The Junks trading with Hoi-man, and which actually belong to the ports of that Island, pay a measurement duty at a certain fixed rate per fathom of the breadth of the beam and European vessels twice as much. The amount of revenue derived from the customs it was found impracticable to obtain.

With regard to our commercial relations with Siam, which are highly deserving of attention, it is believed that there is no country of India in proportion to its extent and population, with which, were the intercourse placed upon a fair and liberal foo ing, a more valuable commerce could be conducted by Europeans, but especially by our own nation.

It may be remarked, that the great obstacle to the extension of European commerce is not directly the arbitrary character of the Government itself, and the insecurity of property which may be supposed to result from it, for the property of strangers is as secure from positive depredation in the Menan, as in the Hooghly; nor from contempt of foreign trade in general, for the Government holds this in the highest esteem,—nor from political jealousy itself, for even of this the foreign trade does not experience the effects,—but almost entirely from the injurious principle of the Government interfering in commercial matters, and appearing itself as the chief trader in all the most valuable productions of the country, as well as exercising a monopoly over much of what is imported by strangers.

Upon the principal articles of monopoly a fixed price is placed, and there is no trade carried on in them with private individuals, except clandestinely. Unrestrained dealing on the part of an European merchant is by no means a matter of course, even when the established regulations of trade are implicitly complied with; for a specific licence must be obtained, and every license so granted is considered as a boon on the part of the Government.

The import duty amounts to eight per cent. The export duty is a fixed and specific impost upon each commodity. Thus upon the great article of European export, Sugar, it is one and

half tical the Chinese pecul. The presents are considered to amount generally upon vessels of every description to about one thousand ticals, but as a return is made to the extent of at least fifty per cent. of these, the real amount is no more than five hundred ticals. Upon the exportation of Bullion or even of the coin of the country, there is neither duty, restriction nor prohibition, and upon the whole it must be acknowledged that there is nothing illiberal or oppressive in the nominal and ostensible regulation of the Siamese trade in its relation to Europeans, and that it is the practice only which is vexatious and oppressive.

Cochin China.—This Empire, which took its existing form in the first years of the present century, comprizes the whole of Cochin China, the whole of Tonquin, the principal part of Kamboja, and the little state of Champa. Its geographical limits extend from the point of Kamboja in about 8. 30 North latitude to the Northern confines of Tonquin, which reach within very few miles of the Tropic, and from the longitude of 105' to about 109' East. It is bordered to the North by the Chinese Provinces of Canton, Kenangsi and Yunan, and to the West by the kingdoms of Lao and Siam; the Gulfs of Siam and Tonquin, and the China Sea, bound it in every direction.

The kingdom of Cochin China, although apparently inferior to Siam in fertility of soil and in variety and richness of production, possesses extraordinary advantages for Commerce, both from its central situation, its navigable rivers, and its innumerable and excellent harbors.

Within the whole kingdom there appear to be no less than five great or considerable navigable rivers, viz. that of Kangkao, of Kamboja, of Sai-gun, of Tonquin, and of Hue.

The first of these empties itself into the Gulf of Siam, and upon this are situated Athien and Pontiamas. This river, which connects itself with the great river of Kamboja, and throngh it leads to the capital of that kingdom, Panompin, was much frequented about a century ago by European traders. This is the place to which in the negociation with the Cochin Chinese Court, the Mission was anxious to obtain a free access, as being the only considerable Cochin Chinese port upon the Gulf of Siam, and affording a direct access into the interior of Kamboja.

Cochin China Proper has no navigable river of any magnitude. The river of Hue having but a very short course, and altho' broad, being but shallow, is not of extensive utility either to external or internal navigation. Its estuary however forms a fine harbour. and in the South West monsoon, Ships of two hundred tons burden may enter and quit it in great safety. In the opposite monsoon, on the contrary, it is almost inaccessible.

In Tonquin is one river which in former periods was well known to European navigators, and appears to have been then accessible, notwithstanding the bar at its mouth to vessels of four or five hundred tons burden. From the best information that could be obtained, the entrance appears at present to be much obstructed by sand banks, and the river consequently not navigable for vessels of above two hundred tons burden. Cachao, the capital of Tonquin is situated upon this stream at the distance of about one hundred and twenty miles from its mouth. This river, which fertilizes a great tract of country, is the principal source of the productiveness of Tonquin,—and having its origin in the centre of the great Chinese Province of Yu-nan, and extending throughout the whole of Tonquin, it would appear to afford a very extensive and useful internal navigation.

In regard to harbours, Cochin China appears to be singularly fortunate: within the six degrees and half of latitude, which intervene between Cape Saint James's and the Bay of Turan, there are no less than nine of the finest harbours in the world, accessible with every wind,—safe to approach, and when attained, affording the most complete protection.

The principal products or the country, in reference to their importance as articles of foreign trade, are thus enumerated—Sugar is the most valuable of them. This article is chiefly produced in the central district of Cochin China Proper, and both in agriculture and manufacture is the result of the labour of the natives of the country, and not of that of the Chinese as in Siam. The article is what is called in commerce *clayed Sugar*. Upon the whole, the commodity, though of a good grain, is inferior in whiteness to that of Siam. The whole exportation appears to be about thirty thousand piculs, and has principally been sent to China.

Raw Silk is the next article in value. Of this there is little or none produced in Kamboja, but in Cochin China, the culture, as the Mission had opportunity of observing, is extensive, and in Tonquin it is still more so. The quantity of this commodity which the whole kingdom could export was estimated at about one lack and twenty thousand pounds weight a year. The objections to it are the shortness of the skein, and therefore its unsuitableness to our machinary. A seer of it, duly examined in the Calcutta market, was calculated to be worth eleven Rupees, being considered somewhat better than Bengal Silk not produced at the Company's filatures.--The French ships which lately visited Cochin China, carried home considerable quantities of it, and it appears that the coarser kind was found to answer very well in the French market.

Cochin China produces the true cinnamon. The whole produce of this article for exportation appears to be about two thousand piculs, or two lacks and sixty-six thousand pounds. Its growth is confined to the mountains of central Cochin China, from whence it is exported to Kamboja and Tonquin, but principally to China, where it is much more highly valued than any other quality of this aromatic. Although in taste highly agreeable, and aromatic it its present state of preparation, it is not suited to the Indian or European markets. To render it suited to our consumption, it would be necessary that the Natives should be instructed in freeing it from the **epidermis*, and otherwise packing and preparing it as practised in Ceylon, a matter which might be communicated without difficulty through the Chinese.

Another exclusive product of the central part of the kingdom which is extensively cultivated and supplied to the neighbouring provinces, is Tea, This is a very coarse and very cheap commodity, the price seldom exceeding a penny or two pence a pound.—Whether under other circumstances of our relations with this part of the world. this Tea might not be exported for the consumption of the poorer classes in England, may be a subject for consideration.

* The loose outer rind.

The productions of alluvial districts of the kingdom, and the adjacent forests, are nearly identified with those of Siam, and it will only be necessary to enumerate the principal of them. These are for Kamboja, Gamboje, Cardamums, Eagle-wood, Areka, Ivory, Sticklac, Hides, Horns and Bones, dried Fish, Dye-woods and Woods for Naval domestic architecture. For Tonquin they are Varnish, Sticklac, and Woods and Roots for dying.

Of these commodities it will only be necessary to specify two or three. Valuable timber is found only in Kamboja. A small quantity of Teak-wood, but undeserving of notice, is found in the forests of this country. The wood used for Ship-building, for the manufacture of gun-carriages, and for almost all architectural purposes, is one called in the Native language *Sao*. Not having seen the tree which produces it, the Mission had no opportunity of ascertaining its botanical characters. This timber, from all accounts, is strong and durable; it is carried to the capital in large quantities, and from it were constructed the whole of the public buildings, as well as the numerous and very beautiful gun-carriages which the Mission had an opportunity of examining in the Royal Arsenal. A hard black wood called in the Cochin Chinese language *Qo*, is extensively used in cabinet work, and being of large dimensions and affording a fine polish, seems extremely well suited to this purpose, and may probably answer for exportation to our settlements.—Kamboja also produces the timber called by the Portuguese Rose-wood, and this the Chinese export as they do from Siam.

Of the vegetable products exported from Tonquin, only one is adverted to—this is a species of root called in the Anam language, *Nao*, and in that of Canton *Shu leong*. It forms the dead weight of all the Chinese cargoes exported from Tonquin. This, which is a very cheap material, is extensively used both throughout Tonquin and Cochin China, as well as in China, as the material of a red dye, which might be applied to similiar purposes, by our own manufactures.

Tonquin is the only portion of the Cochin Chinese empire which yields the metals. Among these are Iron, Gold, and Silver; the iron of Tonquin, which seems to be nearly as cheap as that of Siam, supplies the whole kingdom, with the exception of Siagun, which is furnished from the latter country.

The commodities which the Cochin Chinese receive in the course of Commerce, in exchange for the productions now enumerated, are the manufactured products of China, certain of the productions of the Malay Islands, and of India, and a few of the manufactures of Europe.

The productions they receive from China, are manufactured Silks, Porcelain, medical drugs, and a very large supply of Paper, principally for religious purposes, and some fine Teas. From the Malayan countries they receive Pepper, Cloves, and Nutmegs, with Sandal-wood, and Tin, and from India, Opium and Salt-petre. From Europe the present importations consist only of broad Cloth, a few Cotton Goods, Fire-arms, and unwrought Iron.

Pepper of a good quality, but in small quan-

tity and of high price, is produced in the central provinces of Cochin China. The quantity is inadequate to the demand, which the Chinese trade creates for its exportation, and this article as well as Tin may be pointed out as commodities likely to be imported with advantage into Cochin China. Of Opium the consumption of the kingdom, estimating the wholesale price at three thousand five hundred Spanish dollars the chest, is stated to be about one hundred and fifty chests per annum, two thirds of this being estimated for Tonquin, and one third for Cochin China and Kamboja—Until the establishment of Singapore, the whole of this supply has been obtained indirectly from Canton, some portion of it by the Junks, and a good deal by land communications.

Broad Cloth seems long to have been consumed in Cochin, China, and at present the army amounting to forty thousand men, is uniformly and amply cloathed in British Woollens.—consisting chiefly of strong coarse scarlet broad cloth—of a small quantity of yellow and green of the same texture, with a few serges and camblets.—Independently of these, there is a demand for some woollens of a finer fabric among the better classes of people for occasional winter dress.

From Canton and Singapore, the Junks have of late brought small quantities of fine heavy cotton goods, which are much in request amongst the better classes. Chintzes and other colored cotton goods, so well suited to the state of the Siamese, are not at all consumed by the Cochin Chinese; with the exception of handkerchiefs, neither are our coarse white cottons, such as are manufactured in India, fit to be imported into Cochin China; for from the specimens which the Mission brought from that country, it does not appear that we are capable of competing with them in this description of their domestic manufacture.

The Cochin Chinese, notwithstanding their skill in the fabrication of cannon, and the manufacture of ammunition, are incapable of supplying themselves with fire-arms, and they have at all times been furnished with these by Europeans. One of the French ships, which came out in 1819 supplied the king of Cochin China with ten thousand stand of arms, yet these still continue articles in demand. Notwithstanding the apparent cheapness of the native iron both of Siam and Cochin China, still this does not exclude the importation of the same commodity from Europe, the use of which, from the little loss it sustains in the operation of forging, compared to the Native metal, has advantages over it even in point of economy.

The foreign trade of the Cochin Chinese empire is almost exclusively with China. The trade which it carries on with Siam is inconsiderable, and that with European nations still smaller. The Cochin Chinese, like the Siamese, and it is presumed for the same reasons, are prohibited from going abroad, and whatever foreign trade they possess, is carried on, not by themselves, but by the natives of those countries with whom they hold intercourse. The subjects of Cochin China however, are permitted to go abroad by licence, and in this manner a few of them visit China, and within the last two or three yeasr several of their Merchants have visited the European ports in the Straits of Malacca, and particularly Singapore. It may here be remarked, that were the Cochin Chinese permitted the liberty of going freely abroad, no people of the East seem so well fitted to make expert mariners, from their hardiness, their activity, and their prompt and cheerful habits of obedience. The Cochin Chinese, although not permitted to go abroad, conduct a considerable traffic by sea between one part of the Empire and another. In the course of this as well as the transporting of the tributes to the Capital, they acquire a good deal of maritime experience.

The Chiness trade of the Empire is chiefly with Cachao in Tonquin, Saigun in Kamboja, and Taifo and Hué, in Cochin China; but there is also some intercourse with the minor parts of Pungtae, Yatrang, Fu-yin, Sam-chao, Kwinnyon, Kawangyi.

The whole of the Chinese trade, at the rate of sixteen piculs to a ton, amounts to nearly twenty thousand tons, being very little more than one half the Chinese trade of the single port of Bang-kok: such is the benefit derived to the latter from the numbers and free enterprize of the Chinese residents of that Country; for the Cochin Chinese Government is in theory nearly as despotic and arbitrary as that of Siam, but in practice it is, if not milder, certainly of a more manly and candid character. The Cochin Chinese in their form of Government, as they do in their other institutions, imitate the Chinese, but they fall as much short of those people in the administration of their law as they do in ingenuity and industry. The only rank amongst them is official, and this, as in China, is divided into two great classes, a Civil and a Military arrangement, which creates throughout the Provinces a sort of double administration.

The form of the administration is regular, and the habits and modes of transacting business, equally prompt and methodical.

An erroneous opinion appears to be prevalent amongst European nations, communicated by some of the most recent writers, respecting Tonquin and Cochin China, that the resort of European traders is in a great measure interdicted in this kingdom, on the same principle as in Japan, and in all the ports of the Chinese Empire, with the exception of one. This is so far from being true, that it is believed in no Asiatic Country are European Merchants admitted upon terms more easy and liberal than in Cochin China. European Ships had indeed been subjected to higher rates of duties than the vessels of Asiatic nations, previous to the year 1818; but in that year, the late King established a new Tariff for the foreign commerce and all foreign traders were upon that occasion placed upon an equality.

By this regulation all vessels pay a rated measurement duty, moderate in its amount, are exempted from all import duties or examination of import cargo, and pay a small export duty upon a few articles only. Vessels driven into the ports of Cochin China by stress of weather, or visiting them for the purpose of making commercial enquiries, are free from all charges, and four of the principal ports of the Cochin Chinese Empire are open to European Commerce

These moderate and liberal arrangements leave little to be desired in the way of mere regulation, but it is of little more consequence to the interests of foreign trade, that in Cochin China, neither the sovereign nor his officers are traders themselves, that there are no royal monopolies, and no claim of right of pre-emption, the exercise of all of which is infinitely more mischievous even than the heaviest duties.

The French are the only people who have yet availed themselves of the new regulations of the Cochin Chinese Government in favor of European trade. Four French Ships of considerable burden have since then visited Cochin China. They brought out fire arms, iron, copper, woollens and some curiosities for the Court, and all received full cargoes of sugar, with considerable quantities of raw silk. A respectable mercantile house at Bourdeaux has left two French Gentlemen as Agents at Turan, for the purpose of providing them with cargoes.

There is reason to hope that the trade of Siam and Cochin China will also afford an indirect channel for the employment of our capital, still more extensive and advantageous then the direct trade with those nations themselves, namely a trade with China. This is more particularly applicable to Cochin China than to Siam, because it lies more in the direct route of trade, and the Chinese vessels which frequent its ports stand more in need of return cargoes than they do in Siam; but it applies indeed to both, and embraces an aggregate trade amounting to sixty thousand tons.

By this channel an indirect, but still an easy intercourse may be kept up with every port of China from Hoi-nan up to the Yellow Sea, and by these means may be conveyed to the ports of China all the commodities of the Indian Archipelago of India or of Europe, known to be suitable to the Chinese market.—while by the same course we might receive in return direct from the principal marts, the teas, and raw and wrought silks of China. This is a commerce which might exist independent of the caprice of the Chinese Government, and which would increase in proportion to the freedom with which it was conducted. The Chinese merchants of Cochin China, with whom Mr. CRAWFURD conversed constantly, urged this branch of commerce upon his attention, and shewed themselves most solicitous to enter into it.

Independent of the advantages which we may draw from the maritime intercourse between Cochin China and the ports of the Chinese Empire, it may be observed, that the internal intercourse between Tonquin and the Chinese Provinces to the North and West of it, and which is chiefly conducted through the great river of Tonquin, may afford another channel of disseminating our productions in parts of China, which have at present no cheap or direct communication with the only port which we are allowed to frequent. We should receive as returns in this branch, the precious and useful metals, which are productions either of Tonquin itself, or of the great Chinese Province of Yu-nan, which borders immediately upon it.

From a public notification in the preceding part of this day's Gazette, it will be seen that the Government of Cochin China has consented to the admission of all British vessels into the ports of Sai-gun, Han, Faif, and Hue, on the terms specified in the Tariff or Regulations of Trade, included in the same official document.

Calcutta Government Gazette.

English News.

A FEW THOUGHTS ON SMALL-TALK. FROM THE MONTHLY MAGAZINE FOR MARCH 1823.

The science of small-talking is as valuable as it is difficult to be acquired, I never had the least apitude for it myself, yet Heaven knows, the labour I have bestowed in order to master it. It is not that I have nothing to say; but when I am in company a sort of spell seems to hang over me, and I feel like some fat sleeper who has a vision of thieves, and dreams that he cannot call out for assistance. It is in vain that I observe others, and endeavour to imitate them; a shallow-headed chatterer will make himself agreable in society, while I sit by in silence. I have taken very considerable pains in my time to observe the various kinds of small-talk, with a view of turning my knowledge to some account; but, though the scheme has totally failed in my own person, a few remarks upon the subject may not be useless to others.

I hold it to be an incontrovertible truth, that every subject is to be best treated of *distributivè*, under proper divisions and subdivisions. In pursuance of this plan, I shall distribute all small talk into two species; I General small talk; II. Special, or professional small-talk. The former class includes the small-talk which we hear in mixed society, where men and women, young and old, wise and foolish, are all mingled together. In the latter division I would include the small talk of persons of the same profession or mode of life, as between two apothecaries, two dissenters, two lawyears, two beggars, two reviewers, two butchers, two statesmen, two thives, &c. &c. &c.; in short, all conversations which are tinetured with the art, craft, mystery, occupation, or habits of the interlocutors.

(To be continued in the Appendix.)

SPEAKER'S SPEECH TO THE KING.—Every Speaker of the House of Commons on being chosen, must be presented for confirmation to the king. When his Majesty has signified his approbation of the choice which his Commons have made, the Speaker makes a speech to his majesty, which generally concludes with these petitions;—that the commons may during their sittings, have free access to his majesty; that they may have freedom of speech in the House, and that they may be free from arrests.

The first Speaker that petitioned the king for freedom of speech, is said to have been Thomas Moyle, who held the office towards the latter end of the reign of Henry VIII. The prayer for privilege from arrest, appears to have been of later date, though there seems some doubt on the subject, as in the first year of the reign of Henry IV. Sir John Cheney, then Speaker, made a general request, that the Commons might enjoy their ancient privileges and liberties, without naming any liberty or privilege in particular.

Privilege from arrest has not, however, always protected even the Speaker himself; since we find in the reign of King Henry VI., that Thomas Thorpe, then Speaker of the House of Commons, was arrested in execution, between two sessions of Parliament, at the suit of the Duke of York. The House of Lords interfered, and demanded the opinions of the Judges; who answered that it belonged not unto them to judge of the liberties of Parliament. It was then adjudged by the Lords, that he was not entitled to privilege, and some of the Lords went with a message from the King to the Commons, directing them to choose a new Speaker, which they did accordingly.

One of the most remarkable speeches ever delivered by a Speaker, was that of Serjeant Granvill to Charles I. It is too long for quotation; but a few extracts may suffice to show the tones of freedom and sincerity in which it was couched.

"*Most Gracious Sovereign,*

My profession hath taught me, that from the highest judge there lies no writ of error, no appeal, What then remains, but that I first beseech Almighty God, the author and finisher of all good works, to enable me to discharge honestly and effectually, so great a task, so great a trust; and in the next place, humbly to acknowledge your majesty's favour. Some enemies I might fear, the common enemy of such services, expectation and jealousy; I am unworthy of the former, and I contemn the latter; hence the touchstone of truth shall teach the babbling world I am, and will be found, an equal freeman, zealous to serve my sovereign, zealous to to serve my country.

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"A king's prerogative is as needful as great; without which he would want that majesty which ought to be inseparable from his crown; nor can any danger result thereby to the subjects' liberties, so long as both admit the temperament of law and justice, especially under such a prince, who, to your immortal honour, hath published this to the whole world for your maxim, that the people's liberties strengthen the king's prerogative and the king's prerogative is to defend the people's liberties: apples of gold in pictures of silver' * * * * * * * * * *

"Touching justice, there is not a more certain sign of an upright Judge, than by his patience to be well informed before sentence is given; and I may boldly say, all the Judges in the kingdom may take example of your majesty, and learn their duties by your practice: myself have often been a witness thereof, to my no little admiration.

"From your patience, give me leave to press to your righteous judgment, and exemplify it, but in one instance. When your lords and people, in your last Parliament, presented your majesty a petition concerning their rights and liberties, the petition being of no small weight, your majesty, after mature deliberation, in a few, but most—effectual words, (*soit droit fait comme est desire*) made such an answer, as shall renown you for just judgment to all posterity.

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"Were this nation never so valiant and wealthy, if unity be not among us; what good will riches do us, or your majesty, but enrich the conqueror? He that commands all hearts by love, he only commands assuredly; greatness without goodness, can at best but command bodies.

"It shall therefore be my hearty prayer, that such a knot of love may be knit betwixt the head and members, that, like Gordian's it never be loosed; that all Jesuited foreign states, who look asquint upon our Hierusalem, may see themselves defeated of all their subtle plots and combinations, of all their wicked hopes and expectations, to render us, if their mischiefs might take effect, a people inconsiderable at home, and contemptible abroad.

"Religion hath taught us, *si deus nobiscum, quis contra nos?* and experience I trust will teach us, *si sumus inseparabiles, sumus insuperabiles.* It was found, and I hope it ever will be, the term of the House of Commons, that the king and the people's good cannot be severed, and cursed be every one that goes about to divide them."

THE KIT CAT CLUB.—The Kit Club was a convivial assembly of young patriots, poets, and men of wit: Montague, Dorset, Prior, Garth, and others. It was originally formed in Shire Lane, about the time of the trial of the bishops, for the purpose of a little free evening conversation; but in Queen Anne's reign, it comprehended above forty noblemen and gentlemen, of the first rank and quality, merit and fortune, firm friends to the Hanoverian succession. Horace Walpole says, "the Kit Cat Club, though generally mentioned as a set of wits, were in fact the patriots who saved Britain."

Addison speaks of the origin of the club, as convivial and remote. "Our modern clubs," says he, "are founded upon eating and drinking, which are points wherein most men agree, and in which the learned and illiterate, the dull and airy, the philosopher and buffoon, can all of them bear a part. The Kit Cat itself, is said to have taken its origin from a mutton pie."

The club originally met at the house of a pastrycook in Shire Lane, celebrated for making mutton pies which used to form the standing dish of the society at their suppers. The name of this pastrycook is not certainly known, further than it was Christopher, though some affirm that it was Christopher Cat, which gave the name to the society; but Ned Ward, in his "Complete and Humorous Account of the remarkable Clubs and Societies, "says, "the cook's name being Christopher, for brevity called Kit; and his sign being the Cat and Fiddle, they very merrily derived a quaint denomination from puss and her master, and from thence called themselves the Kit Cat Club."

Jacob Tonson, the bookseller, was the secretary, and Ned Ward says, the founder of the club. Patronized by his distinguished visitors, Christopher the cook removed to the Fountain Tavern in the Strand. The Flask Tavern at Hampstead, was also, during the summer months, the scene of the club's revels.

It was customary for the society to toast their favourite ladies, at their meetings; and Garth wrote poems on the most celebrated beauties of the day, for their drinking glasses; which gave rise to the following epigram, supposed to have been written by Arbuthnot' which alluded at the same time to the doubtful origin of the name of the club.

"Whence deathless Kit Cat took its name.
Few critics can unriddle;
Some say from pastry-cook it came,
And some from Cat and Fiddle.

From no trim beaux its name it boasts,
Grey statesmen or green wits;
But from its pell-mell pack of toasts,
Of old cats and young kits."

UNDER THE ROSE.—The common saying, "Under the rose," is said to have taken its rise from convivial entertainments, where it was an ancient custom to wear chaplets of roses about the head; on which occasions, when persons desired to confine their words to the company present, that they "might go no farther," they commonly said, "they are spoken under the rose."

Newton, in his "Herball to the Bible," is of the same opinion; and says, "I will here add a common country custom that is used to be done with the rose, When pleasant and merry companions do friendly meet together to make good cheer, as soon as their feast or banquet is ended, they give faithful promise mutually one to another, that whatsoever hath been merrily spoken by any in that assembly, should be wrapped up in silence, and not be carried out of the doors. For the assurance and performance whereof, the term which they use is, that all things there said, must be taken as spoken under the rose.

"Whereupon they used in their parlours and dining-rooms, to hang roses over their tables, to put the company in memory of secrecy, and not rashly or indiscreetly to clatter and blab out

what they hear. Likewise, if they chance to show any tricks of wanton, shameful, immodest, or irreverent behaviour, either by word or deed, they protesting all that was spoken was under the rose, do give it a straight charge, and pass a covenant of silence and secrecy with the hearers, that the same shall not be blown abroad nor tattled in the streets among others ".

[*Percy Anecdotes.*

LITERARY INTELLIGENCE.

THE NEW SERIES OF THE CURIOSITIES OF LITERATURE*

It is now several years since we took occasion to review a work of this very interesting writer; yet he has not been idle. The Essay on the Character of King James I., which we take shame to ourselves for not noticing at the time when it was published, has not, we believe, gone into quite so extensive circulation as most of his works. This, perhaps, was to be expected, because it did not present the same *variety* of subjects, which commonly forms one of Mr. D'Israeli's most pleasing attributes; but, on the other hand, its very want of that popular charm, gave it something at least as acceptable, to those who read for other purposes than those of mere amusement. Without any formality of design or structure, Mr. D'Isreali concentrating his powers upon a most picturesque character, and a most picturesque time, threw great and permanent light upon both. His book, unpretending in form and style, belongs to the true materials of English history. It is a work, which no student of our history ever can neglect, and which no intelligent one can ever undervalue. And we take this opportunity of expressing our opinion, that those readers of the Fortunes of Nigel, who have not looked into Mr. D'Israeli's illustrations of the same personages, of which that brilliant novel furnishes so many entertaining views and sketches, must certainly be very ill qualified to judge of the use which the novelist made of his historical materials. It is curious in every point of view, that the enthusiastic Scotchman, should, on the whole, lower one's notions of James; and, that this intelligent Englishman should have been, about the same period, producing an effect so very opposite. We rather incline to think, that the author of Nigel had not read Mr. D'Isreali's Essay at the time when he wrote his romance, and that if he had done so, he might have represented the character of James in a much higher point of view, as to some important things, without at all diminishing the graphic and delightful effect of his portraiture. The fact is, that James had really, in the midst of all his oddnesses and weaknesses, a much larger share of wit—not Scots humour merely, but real sterling wit, than the readers of Nigel would be very apt to give him credit for. Mr. D'Israeli has in a few pages preserved about as many genuine *bon mots*, capital *bon-mots*, masterly *bon-mots*, of "the British Solomon," as are on record to the glory either of Louis XIV., or of Charles II. But we must be satisfied for the present with this brief reference to a most valuable little volume, well deserving of every reading man's most careful attention.

* A Second Series of Curiosities of Literature: consisting of Re-earches in Literary, Biographical, and Political History; of Critical and Philosophical Inquiries; and of Secret History. By I. D'Israeli. In three Volumes. London: John Murry, Albemarle-Street, 1823.

Here we have our author once more in a form and dress more nearly resembling what, for twenty years, we had been accustomed to consider as *his own*. We shall not pay Mr. D'Israeli a compliment, which his eminent good sense and modesty would reject—we shall not call him the British Bayle. He in not the inventor of a new department of literature like that illustrious man, nor does he carry into his investigations, either that boundless wealth of erudition, or that deep philosophical power, or that exquisite wit, which have, in their united exertion, made Bayle's huge folios more delightful reading than all the novels in the world—which have rendered him the object of reverence to every scholar, and every reasoner, and the charm, at the same time, of every elegant boudoir in Christendom. Neither can D'Israeli write like a Bayle—so far from it that if we were called on to say, who is the author whose manner of writing the English tongue is the least in keeping with his manner of thinking, and the richness of his materials, we should, we rather imagine, name nobody but Mr. D'Israeli. There is a laxness—a feebleness—and, occasionally, there is a want even of common grammar, which we cannot account for, except by supposing, (it perhaps, may be so,) that Mr. D'Israeli, when he writes English, writes an acquired language, and not his mother tongue;—or, what, on the whole, we are rather more inclined to consider as the truth of the case, that there *is*, in the midst of much very pleasing talent, some essential and unhappy *want* about his mind. His total blindness as to the charm of *compact* and *clear* expression, is really a most singular phenomenon; for often enough you shall see in one sentence, or would be sentence of his, a new and highly interesting fact—a thought of pathetic or philosophic beauty—and a phrase so utterly weak and indequate, that the fact seems to have been hinted, not told, and the thought groped for, but not grasped.

All this, we are afraid, very few of our readers have not long ago discovered abundantly for themselves; and we are also afraid that Mr. D'I sraeli is rather too old a writer to have much prospect of avoiding the same offences in his future work—These works, notwithstanding what we have said, we earnestly, most earnestly, hope may be many. Never will one volume come from his hand without enriching English minds; and, therefore, in spite of their defects, enriching, and permanently enriching, the literature of England. One great branch of that literature, and a most delightful one, he has in our day made almost entirely his own. His books must live in honour, and in freshness, as long as our history and literature survive, and no man will turn over their pages, three handred years hence, without saying to himself,—"This was a man of indefatigable zeal, of elegant feelings, and, above all, of lofty purity of character."—Alas! in looking over the long line of literary names, (including many of the very highest ones too,) how few shall we find thus enviably stainless! No trick, no chicanery, no malice blots his carecr. He ever has been, and ever will be, the amiable and upright man of letters; the true gentleman's spirit guides him in every stroke of his pen, and he who might have so cheaply, and so safely, amused himself at our expense, has always suppressed every suggestion of vanity, and aimed at nothing but *our* delight—that too, combined uniformly with our instruction.

Such an author is certainly well entitled to the warmest gratitude of his literary brethern, and we, who rather aspire than pretend to be among the number of these, have always, we must confess, read his works with feelings of *partiality*, (that is not just the word, but *our* readers will understand us,) arising out of our feelings of respect for the moral character of the man himself. On his present work, the stamp of elevated humanity, and charitable sense, is, perhaps, more strongly impressed than on any even the best of its predecessors. We fear not to say, that NO MAN who has perused these volumes attentively, *can* fail to be a great, a very great deal more *knowing* than he was when he began; and that the fault must be entirely his own, if he be not also a great deal *wiser*. The delicate and masterly exposure of past prejudices, their obscure origin, their pernicious influences, and their gradual, reluctant, but irresistible decay, *ought*, at least, to improve men's eyes for the contemplation of those prejudices, by which the people around them are now separated and deluded—and in some of which, they themselves are pretty sure to be partakers. The comparatively infant cause of POLITICAL TOLERANCE may be advanced by the mournful and humiliating history of that RELIGIOUS TOLERANCE, of which so many great, wise, and good men, but lately regarded the very name with abhorrence—which now, however, has all names that are worth mentioning upon its side—and of which a few more years will probably be sufficient to establish the final, consummating, and blessed triumph.

We have already hinted, that we are not certain whether Mr. D'Israeli is, or or is not, an Englishman born. We may venture, however, to mention, what is not, perhaps, universally known, that he is by birth a member of the Hebrew nation. Whether he does, or does not, adhere to the religion of his race, we are entirely ignorant; for often as he has discused topics connected with the history of religious disputes, we have not, after a pretty close examination, been able to discover any one passage, from which it is possible to infer to what sect our author himself belongs. Our readers are not to imagine, that we are stating this as any thing for which he merits reprehension. He writes as a historical and philosophical antiquarian; his business, as such, is to lay before us strange and hidden facts, and to induce from these, or induce us to induce from them, such lessons of charity as becomes all men alike, whatever their persuasions may be, to cherish and dwell upon. But this is not all—we conceive, that to make known the fact of Mr. D'Israeli's descent, is to heap new honours upon his head. The race of Israel has indeed produced, in Spinoza, one of the most acute of metaphysicians, and it has given to the modern world, in Mendelsohn, one of the profoundest of philosophers; "the Plato of Germany;" but its triumphs in this sort have been but few, and a D'Israeli is a new and a valuable triumph. The single fact that we owe to a Jewish citizen some of the most interesting researches which have illustrated the literary, and we may add, the political history of our country—and some of the most delightful volumes, moreover, that adorn the English library—this single fact is worth volumes of prosing, and ought, of itself, to inspire more of that great doctrine of charity and liberality, than all the many curious and recondite things, which Mr. D'Israeli himself has drawn from the dust of MSS., and the obscurity of forgotten folios, for

the benevolent, and we do not fear to say, the eminently *christian* purpose of enforcing it. And since we have alluded to this matter, (we trust we have done so in a manner of which Mr. D'Israeli will not complain,) we may add, that his knowledge of the history, traditions, and manners, and habits of the highly interesting people from whom he is sprung, has added to many of his writings, and, in particular, to the volumes now before us, a charm and a value, which, with all his talents, he could scarcely have conveyed, had it been otherwise. To us, there is, we will confess, a most deep and solemn pathos, in some of the passages where he alludes, almost as it would seem involuntarily, to the mysterious fate of his nation—their sublime, oriental dreams, their enthusiastic reverence of that which is old, and the wisdom of those picturesque sayings which still float among them, as they did among their ancestors, long before profane history had any existence. Such lingering traces of feelings, that are any thing but discreditable even to the heart of a very wise man, invest occasionally with a picturesque grace, and a certain profounder interest at the same time, the disquisitions of a philosophic observer, who has, perhaps, done as much as any writer now living for the destruction of idle prejudices, and absurd antipathies. But, perhaps, we ought to apologize, even for the little we have presumed to say, as to this matter.

Nothing can be more difficult, (talking, of course, of small things,) than to set about reviewing a book of ANA*;—which this is. There is not a single section of all the scores comprized in these volumes, from which we might not draw materials for a long and interesting article. As usual, however, our first object is to make known the general opinion we have formed of the work, and thence, (when that opinion is favourable,) the propriety of buying and reading it without delay. We now tell our readers, that Mr. D'Israeli's new book is as full of rich and overflowing interest, as it could have been had this been the first appearance of a clever and thinking man, expressing himself freely upon the most favourite subjects of his research and reflection. Therefore, it is a book which those who can buy such books ought immediately to possess. But we have, besides, all this, to make out of it an article for Blackwood; and, in truth, although whatever way we should take it, it would be difficult not to make a good article out of such a book, we are nevertheless much at a loss. We shall, without thinking or saying more, just turn over the volumes, and do as the suggestion of the moment may chance to be.

In the first volume, one of the first articles is an excellent one of Bayle. The reader may look long ere he finds a *paragraph* from which more topics of reflection naturally spring than the following:

"Bayle is reproached for carrying his speculations too far into the wilds of scepticism—He wrote in distempered times; he was witnessing the *dragonnades* and the *revocations* of the Romish church, and amidst the Reformed, the French prophets, as we called them when they came over to us, and *in whom Sir Isaac Newton more than half believed*, these testified that they had heard angels singing in the air, while our philosopher was convinced that he was living among men for whom no angel would sing! *Bayle had left persecutors to fly to fanatics, both equally appealing to the Gospel, but alike untouched by its gladness.* His impurities were a taste inherited from his favourite old writers, whose *naiveté* seemed to sport with the grossness it touched; neither in France, nor at home, had the age then attained to our moral delicacy; he himself was a man without passions! His trivial matters were an author's compliance with the bookseller's taste, *which is always that of the public.* His scepticism is said to have thrown every thing into disorder. Is it a more positive evil to doubt, than to dogmatise? Even Aristotle often pauses with a qualifying *perhaps*, and the egoist Cicero with a modest *it seems to me.* His scepticism has been useful in history, and has often shown how facts universally believed are doubtful, and sometimes must be false. Bayle, it is said, is perpetually contradicting himself; but a sceptic must doubt his doubts; he places the antidote close to the poison, and lays the sheath by the sword. Bayle has himself described one of those self-tormenting and many-headed sceptics by a very noble figure. *He was a Hydra who was perpetually tearing himself.*"

The following is also highly interesting, both for what it says of Gibbon, and for the fine *trait* of *nature* its last sentence embalms:—

"The first step which Bayle took in life is remarkable, He changed his religion and became a Catholic: a year afterwards he returned to the creed of his fathers. Posterity might not have known the story had it escaped from his Diary. The circumstance is thus curiously stated:

BAYLE'S DIARY.

Years of the Christian Æra.		Years of my age.
1669,	Tuesday, March 19,	22. I changed my religion—next day I resumed the study of logic.
1670,	August 20.	23. I returned to the reformed religion, and made a private abjuration of the Romish religion in the hands of four ministers!

"These he names; his brother was one whom he had attempted to convert by a letter, long enough to evince his sincerity, but which required his subscription that we should now attribute it to Bayle.

"For this has Bayle endured bitter censure. Gibbon, who himself changed his religion about the same year of his age,' and for as short a period, sarcastically observes of the first entry, that, Bayle, should have finished his logic before he changed his religion. It may be retorted, that when he had learned to reason, he renounced Catholicism! The true fact is, that when Bayle had only studied a few months at college, some books of controversial divinity by the Catholics offered many a specious argument against the Reformed doctrines; a young student was easily entangled in the nets of the Jesuits But their passive obedience, and their transubstantion and other stuff woven in their looms, soon enabled such a man as Bayle to recover his senses. The promises and the caresses of the wily Jesuits were rejected, and *the gush of tears of the brothers, on his return to the religion of his fathers, is one of the most pathetic incidents of domestic life*"

Another excellent lesson lies in this anecdote of Addison, at p. 40 of vol. I.; an excellent lesson indeed, for young men, who think that the business of life may be neglected for the sake of indulging tasks merely elegant.

"A man of fine genius, Addison relates, trained up in all the polite studies of antiquity, upon being obliged to search into several rolls and records, at first found this a very dry and irksome employment; yet he assured me, that at last he took an incredible pleasure in it, and preferred it even to the reading of Virgil and Cicero.

A very pretty chapter "on False Political Reports," concludes thus, with two things that Mr. D'Israeli is so often happy in bringing together, a good story and a good *hint*.

"A stranger landing from Sicily, at a barber's shop delivered all the particulars of the defeat of the Athenians; of which, however, the people were yet uninformed. The barber leaves untrimmed the reporter's beard, and flies away to vent the news in the city, where he told the Archons what he had heard. The whole city was thrown into a ferment. The Archons called an assembly of the people, and produced the luckless barber, who in his confusion could not give any satisfactory account of the first reporter. He was condemned as a spreader of false news, and a disturber of the public quiet; for the Athenians could not imagine that they were not invincible! The barber was dragged to the wheel and tortured, till the disaster was more than confirmed. Bayle, referring to this story, observes, that had the barber reported a victory, though it had proved to be false, he would not have been punished; a shrewd observation, which occurred to him by the different fate of Stratocles. This person persuaded the Athenians to perform a public sacrifice and thanksgiving for a victory obtained at sea, though he well knew at the time that the Athenian fleet had been totally defeated. When the calamity could no longer be concealed, the people charged him with being an impostor; but Stratocles saved his life and mollified their anger by the pleasant turn he gave to the whole affair. 'Have I done you any injury?' said he. 'Is it not owing to me that you have spent three days in the pleasures of victory? I think that this spreader of good, but fictitious news, should have occupied the wheel of the luckless barber, who had spread bad but true news; for the barber, had no intention of deception, but Stratocles had; the question here to be tried, was not the truth or falsity of the reports, but whether the reporters had intended to deceive their fellow citizens? The 'Chronicle' and the 'Post' must be challenged on such a jury, and all the race of news scribes, whom Patin * characterises as *hominum genus audacissimum mendacissimum avidissimum*, Latin superlatives are too rich to suffer a translation."

There is a great deal of very curious literary history in the chapter "on Dilapidators of MSS.;" but we prefer, even to the light it throws on Tasso and Gallileo, the following extraordinary fact concerning Louis XIV.; a prince who is no favourite either with Mr. D'Israeli, or ourselves. "His character," says our candid auther, nevertheless.—

"His character appears, like some other historical personages, equally distinguished by adulation and calumny. That monarch was not the Nero which his revocation of the edict of Nantes made him seem to the French Protestants. He was far from approving of the violent measures of his Catholic clergy. This opinion of that Sovereign was, however, carefully suppressed when his 'Instructions to the Dauphin' were first published. It is now ascertained that Louis XIV, was for many years equally zealous and industrious; and among other useful attempts, composed an elaborate 'Discours' for the Dauphin for his future conduct. The king gave his manuscripts to Pelisson to revise; but after the revision, our royal writer frequently inserted additional paragraphs. The work first appeared in an anonymous 'Recueil d'Opuscules Literaires, Amsterdam, 1767,' which Barbier, in his 'Anonymes,' tells us,—was 'rédigé par Pelisson; le tout publié par l'Abbe Olivet.' When at length the printed work was collated with the manuscript original several suppressions of the royal sentiments appeared, and the editors, too Catholic, had, with more particular caution, thrown aside what clearly showed Louis XIV. was far from approving of the violences used against the Protestants. The following passage was entirely omitted. 'It seems to me, my son, that those who employ extreme and violent remedies do not know the nature of the evil, occasioned, in part by heated minds, which, left to themselves, would insensibly be extinguished, rather than rekindle them afresh by the force of contradiction; above all, when the corruption is not confined to a small number, but diffused through all parts of the state; besides, the Reformers said many true things! The best method to have reduced little by little the Huguenots of my kingdom, was not to have pursued them by any direct severity pointed at them."

We recommend the following, from a chapter "on Parody," to those who have ever listened with aught but scorn to the railers against the famous Chaldee MS. Who are the personages alluded to in the beginning of the extract? We rather suspect Sir Walter Scott and Washington Irving, which last elegant author first appeared to the world, we believe, in a quizzical parody of the Lay of the Last Minstrel. The story, we doubt not, is a true one; and

* Books so called from the last syllable of their title as Scaligerana. JOHNSON'S DICT.

* We must beg leave to except against this sweeping and superlative censure passed by M. Patin on our tribe. ED.

we know of few other living poets and living parodists, capable of behaving so sensibly.

"A lady of *bas bleu* celebrity (the term is getting odious, particularly to our *sgavantes*) had two friends, whom she equally admired—an elegant poet and his parodist. She had contrived to prevent their meeting as long as her stratagems lasted, till at length she apologised to the serious bard for inviting him when his mock *umbra* was to be present. Astonished, she perceived that both men of genius felt a mutual esteem for each other's opposite talents; the ridiculed had perceived no malignity in the playfulness of the parody, and even seemed to consider it as a compliment, aware that parodists do not waste their talent on obscure productions; while the ridiculer himself was very sensible that he was the inferior poet. The lady critic had imagined that parody must necessarily be malicious; and in some cases it is said those on whom the parody has been performed, have been of the same opinion.

"Parody strongly resembles mimicry, a principle in human nature not so artificial as it appears. Man may well be defined a mimetic animal. The African boy, who amused the whole kafle he journied with, by minicking the gestures and the voice of the auctioneer who had sold him at the slave-market a few days before, could have had no sense of scorn, of superiority, or of malignity; the boy experienced merely the pleasure of repeating attitudes and intonations which had so forcibly excited his interest. The numerous parodies of Hamlet's soliloquy were never made in derision of that solemn monologue, no more than the travesties of Virgil by Scarron and Cotton; their authors were never so gaily mad as that. WE HAVE PARODIES ON THE PSALMS BY LUTHER; *Dodsley parodied the book of Chronicles and* FRANKLIN'S *most beautiful story of Abraham is* A PARODY ON THE SCRIPTURE STYLE; *not one of these writers, however, proposed to ridicule their original; same ingenuity in the application was all that they intended.*"

Why had not Mr. D'Israeli the candour and manliness to name Hogg at once boldly, after Luther and Franklin? But he was always fond of *insinuating* wisdom! We find we are just making a sort of miniature *Ana* of our own—so, to proceed, take these anecdotes of.—

THE FAIRFAXES.

"In looking over a manuscript life of Tobie Matthews, Archbishop of York in James the first's reign, I found a curious anecdote of his grace's disappointment in the dispositions of his sons. The cause, indeed, is not uncommon, as was confirmed by another great man, to whom the Archbishop confessed it. The old Lord Thomas Fairfax one day found the Archbishop very melancholy, and inquired the reason of his grace's pensiveness: 'My lord,' said the Archbishop, 'I have great reason of sorrow with respect of my sons; one of whom has wit and no grace, another grace but no wit, and the third neither grace nor wit.'—'Your case,' replied Lord Fairfax, 'is not singular. I am also sadly disappointed in my sons; one I sent into the Netherlands to train him up a soldier, and he makes a tolerable country justice, but a mere coward at fighting; my next I sent to Cambridge, and he proves a good lawyer, but a mere dunce at divinity; and my youngest I sent to the inns of court, and he is good at divinity' but nobody at the law.' The relater of this anecdote adds, 'This I have often heard from the descendant of that honorable family, who yet seems to mince the matter because immediately related.' The eldest son was the Lord Ferdinando Fairfax—and the gunsmith to Thomas Lord Fairfax, the son of this Lord Ferdinando, heard the old Lord Thomas call aloud to his grandson. 'Tom! Tom! mind thou the battle! Thy father's a good man, but a mere coward! All the good I expect is from thee!' It is evident that the old Lord Thomas Fairfax was a military character, and in his earnest desire of continuing a line of heroes, had preconcerted to make his eldest son a military man who we discover turned out to be admirably fitted for a worshipful justice of the quorum. This is a lesson for the parent who consults his own inclinations and not those of natural disposition. In the present case the same lord, though disappointed, appears still to have persisted in the same wish of having a great military character in his family; having missed of one in his eldest son, and settled his other sons in different avocations, the grandfather persevered, and fixed his hopes, and bestowed his encouragements on his grandson, Sir Thomas Fairfax, who makes so distinguished a figure in the civil wars."

CURES FOR LOVE.

"There are crimes for which men are hanged, but of which they might easily have been cured by physical means. Persons out of their senses with love, by throwing themselves into a river, and being dragged out nearly lifeless, have recovered their senses, and lost their bewildering passion. Submersion was discovered to be a cure for some mental disorders, by altering the state of the body, as Von Helmont notices, 'was happily practised in England.' With the circumstance this sage of chemistry alludes to, I am unacquainted; but his extraordinary practice was certainly known to the Italians; for, in one of the tales of Poggio we find a mad doctor of Milan, who was celebrated for curing lunatics and demoniacs in a certain time. His practice consisted in placing them in a great high-walled court-yard, in the midst of which there was a deep well full of water, cold as ice. When a demoniac was brought to this physician, he had the patient bound to a pillar in the well, till the water ascended to the knees, or higher, and even to the neck, as he deemed their malady required. In their bodily pain they appear to have forgot their melancholy; thus by the terrors of the repetition of cold water, a man appears to have been frightened into his senses! A physician has informed me of a remarkable case; a lady with a disordered mind resolves on death, and swallowed much more than half a pint of laudanum; she closed her curtains in the evening, took a farewel of her attendants, and flattered herself she should never awake from her sleep. In the morning, however, notwithstanding this incredible dose, she awoke in the agonies of death. By the usual means she was enabled to get rid of the poison she had so largely taken, and not only recovered her life, but what is more extraordinary, her perfect senses! The physician conjectures that it was the influence of her disordered mind over her body, which prevented this vast quantity of laudanum from its usual action by terminating in death.

(*To be Concluded in our next.*)

Blackwoods Magazine.

SONGS OF THE CID.

BY MRS. HEMANS.

*The Cid's Funeral Procession.**

THE Moor had beleaguer'd Valencia's towers,
And lances gleam'd up through her citron bowers,
And the tents of the Desert had girt her plain,
And camels were trampling the vines of Spain;
For the Cid was gone to rest.

There were men from wilds where the death-wind sweeps,
There were spears from hills where the lion sleeps,
There were bows from sands where the ostrich runs,
For the shrill horn of Afric had call'd her sons
To the battles of the West.

The midnight bell, o'er the dim seas heard,
Like the roar of waters the air had stirr'd;
The stars were shining o'er tower and wave,
And the camp lay hush'd, as a wizard's cave:
But the Christians woke that night.

They rear'd the Cid on his barbed steed,
Like a warrior mail'd for the hour of need,
And they fix'd the sword in the cold right hand,
Which had fought so well for his father's land,
And the shield from his neck hung bright.

There was arming heard in Valencia's halls,
There was vigil kept on the rampart walls;
Stars had not faded, nor clouds turn'd red,
When the Knights had girded the noble Dead,
And the burial-train moved out.

With a measured pace, as the pace of one,
Was the still death-march of the host begun;
With a silent step went the cuirass'd bands,
Like a lion's tread on the burning sands,
And they gave no battle-shout.

When the first went forth, it was midnight deep,
In heaven was the moon, in the camp was sleep,
When the last through the city's gates had gone,
O'er tent and rampart the bright day shone,
With a sun-burst from the sea!

There were Knights five hundred went arm'd before,
And Bermudez the Cid's green standard bore;
To its last fair field, with the break of morn,
Was the glorious banner in silence borne,
On the glad wind streaming free.

And the Campeadore came stately then,
Like a leader circled with steel-clad men!
The helmet was down o'er the face of the Dead,
But his steed went proud, by a warrior led,
For he knew that the Cid was there.

He was there, the Cid, with his own good sword,
And Ximena following her noble lord;
Her eye was solemn, her step was slow,
But there rose not a sound of war or woe,
Not a whisper on the air.

The halls in Valencia were still and lone,
The churches were empty, the masses done;
There was not a voice through the wide streets far,
Nor a foot-fall heard in the Alcazar;
—So the burial-train moved out.

With a measured pace, as the pace of one,
Was the slow death-march of the host begun;
With a silent step went the cuirass'd bands,
Like a lion's tread on the burning sands,
And they gave no battle-shout.

But the deep hills peal'd with a cry ere long,
When the Christians burst on the Paynim throng!
With a sudden flash of the lance and spear,
And a charge of the war-steed in full career,
It was Alvar Fanez† came!

He that was wrapt with no funeral shroud,
Had pass'd before, like a threatening cloud!
And the storm rush'd down on the tented plain,
And the archer queen, with her bands, lay slain;
—For the Cid upheld his fame.

Then a terror fell on the King Bucar,
And the Libyan Kings who had join'd his war!
And their hearts grew heavy, and died away,
And their hands could not wield an Assagay,
For the dreadful things they saw!

For it seem'd, where Minaya his onset made,
There were seventy thousand Knights array'd!
All white as the snow on Nevada's steep,
And they came like the foam of a roaring deep;
—'Twas a sight of fear and awe!

And the crested form of a warrior tall,
With a sword of fire, went before them all;
With a sword of fire, and a banner pale,
And a blood red cross on his shadowy mail,
He rode in the battle's van.

There was fear in the path of his dim white horse,
There was death in the giant-warrior's course!
Where his banner stream'd with its ghostly light,
Where his sword blazed out, there was hurrying flight,
For it seem'd not the sword of man!

The field and the river grew darkly red,
As the kings and leaders of Afric fled:
There was work for the men of the Cid that day!
—They were weary at eve, when they ceased to slay,
As reapers whose task is done.

The kings and the leaders of Afric fled!
The sails of their galleys in haste were spread:
But the sea had its share of the Paynim-slain,
And the bow of the Desert was broke in Spain,
—So the Cid to his grave pass'd on!

* See the Legends recorded in Southey's Chronicle of the Cid.

† Alvar Fanez Minaya, one of the Cid's bravest warriors.

ON DIT.

At a Levee in Paris, the last attended by the Duke de San Lorenzo, his Excellency, seeing himself "*rumped*" by Prince Hilt, calmly observed to a friend—"La Guerre dejà commence; Le Général *tourne le dos à l'ennemi*!"

When mighty HILT, by way of a rebuke,
His back presented to LORENZO's Duke—
The latter, smiling, to a friend (said he)
"'*Tis clear* he takes me for an *enemy*!" A. M.

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Appendix to the Bonbay Gazette.

WEDNESDAY, AUGUST 20, 1823.

(*Continned from the Page* 584.)

And, first, of General Small-talk. However simple the art of generel small talking may seem, and however plain and intelligible the topics may be upon which it is employed; yet, in fact, it is more difficult than the special kind. The materials out of which it is formed are few in number, and easily accesible. The following is a pretty complete assortment. The weather—the health of your friends—the funds—any accidents which have happened to any of your acquaintance such as deaths or marriages—the King—Bonaparte—Lord Byron—the cheapness of meat—any watering place—the corn bill—the author of Waverley—and the theatre. These are the coin that will pass current in any society. Thus, in a morning call if two strangers happen to be left together, how agreeably they may pass the time in enlarging upon the above topics. "A very hot day, Sir!" "Yes, indeed, Sir; may thermometer stood 80 in the shade. Pray, Sir, are you related to the Rev. Jere- ah Jollison? I hope he is well."—"I am rother, Sir: he died two years ago."— bless me! but it's more than two years saw him. Pray, Sir, what do you Spanish bonds?" &c. &c. Such is rsation you generally hear after re dinner there is none), in stage tels, and at watering-places. It ble for adults. The grand diffi- kind of small-talk is to discover ; for as I imagine it to be a me- ruth, that the mind cannot, *ex mero* call up any subject it pleases, the must necessarily depend on the pow- ociation in the brain of the individuals aintain it. It requires great presence d to call up a sufficient number of topics meet a sudden emergency. Thus, when meet a friend in the street, who, in spite of your attempts to pass him with a nod, *will* stop and speak to you, how awkward it is to have nothing to say! This happens to me continually. When you have shaken hands, and the one has said, "A fine day:" and the other, "Yes, very," you stand for a few moments gazing with a vacant sort of look up on one another, shake hands again, and part. The same accident sometimes happens in morning calls. After having exhausted all the common places of civility, you feel yourself suddenly ran on shore. It is in vain you attempt to think of some subject of discourse; the longer you search, the further you are from it; except the conviction that you can find nothing to talk about, your mind is a *tabula rasa*. Your guest at last rises, and puts you out of your agony.

There are some people, however, who have a genus for small-talk. There stock seems boundless. It is no matter where or with whom, or upon what, they are talking; still it flows on and on "in one weak, washy, everlast- big flood." It is a great infliction be to the only person in company with these inveterate small talkers. Their discourse makes one's head ache. It is like the perpetual dropping of water upon the crown of one's pericranium. To me, however, such people if their conversation is not addressed to me, are a great relief. They save me the trouble of attempting to talk, and the mortification of a failure.

Every one must have occasionally experienced the up-hill, heart breaking labour of talking to an impenetrable person. "Well, what short of a day had you?" said I, to a lively friend of mine. "Oh? my dear Peter," said he, "I had the ill luck to be seated at dinner next to the *dreariest* young lady you ever did *not* talk with. She seemed to be afraid lest, if she opened her mouth, jewels and roses would fall from it, and she should lose them. 'I did do all that might became a man." I first tried her with Lord. Byron, then with Moore. I tried herwith the theatre—I tried her with Walter Scott—I tried her with the Park—I tried her with Albert—with Noble—with Mrs. Hanna More—with the tread wheel—the frost,—quadrilles—lancers Sir Charles Grandison, and Spanish boleros."—"Ah! but my dear firiend," said I, "did you try her with *dress?* Did you tell her of the Valenciennes lace which you brought over the other day in the collar of your coast? I see where you mistake lay. Instead of talking to her of books, you should have talked of book-muslin. You should have discoursed of milliners instead of authors, of flounces instead of poems."—You occasionally meet with the same sort of people in stage coaches. "Beautiful country this we are travelling through, Sir?"—"Yes, Sir"—"Fine cattle in this stage, Sir." Yes," —Sir."—Did you get any sleep in the night, Sir?" "No, Sir."—"Did you see the papers before we set off, Sir?" "No, Sir!"— —and so the conversation terminates.

II. Of Special Small-talk: and, first, of such as is purely professional. Under this head I include the conversation of persons who are of the same profession, or occupation, and who therefore speak a kind of language peculiar to their craft, and frequently unintelligible to the rest of the world. Physicians, lawyers, sud merchants, may be taken as examples.

There is something particularly *piquant* in the small talk of gentlemen of the medical profession. I well recollect the conversation of two young surgeons, who were setting in the next box to me in a coffee house near Great Marlborough-street. "Oh, by the by, Jenkins, I got the finest subject yesterday you ever saw."—"Ay I where did you get it?"— "From France, to be sure, and never saw a fellow so neatly packed; by Jove, he was as round as a ball."—"What was the damage?" —"Oh, the fellow who sent him me, said if I would send him back the hamper full of beef, he should be satisfied; so I sent him a trifle."—"Have you any part to spare? *(Waiter another chop)*"—"Why, you may have a limb reasonable."—"Well, then, next week; but just at present I have got a very pretty small subject." —"What did you give?"—"Two shillings an inch, but the cursed fellow had pulled the child's neck almost out of joint, to make it an inch longer. But didn't I tell you of the fun we had at Br——'s? You know we had that fellow who was hanged on Wednesday for murdering his grandmother. Well, he was devilishly ill hanged, and so we thought we'd galvanize him. We got the battery ready (you know it's a pretty strong one) and as soon as ever was applied, the fellow—(but won't you have some more porter? *Waiter another pint of port* !) the fellow lifted up his brawny arm and threw it twice a cross his breast. The pupils were all delighted, but our Irishman O'Reilly—you know O'Reilly, who neatly got into a scrape with cracking the crown of the sexton at St. Pancras—O'Reilly, who was standing by with a stout board in his hand, no sooner saw this motion, than, not quite understanding the affair, and fearing that the fellow was actually coming to life again, he caught him a thwack on the side of the head, which made the cerebellum ring again. 'It it he's going to walk?' cried Paddy— thwack—' and shall justice be *defeated*?' —thwack—'and shall I be *chated* out of my shaving money?*'—thwack—, By Jasus I've floored him!'—"Capital!" cried Jenkins, "I wish I had been there. But have you heard of Astley Cooper's operation?"—"No, what was it?"—"Why, he whipped off a child's leg in thirty-eight seconds and a half; the child didn't know what he was about, and only asked what was tickling it so."—"Clever that, by Jove. Do you hear who is likely to get St. Thomas's?" —"Why, some say Dr. A. and some say Dr. B. I know B.'s friends have subscriped for thirty new governors. Have you seen the new tourniquet?"— "No, but I'am told it's clever; what do you think of the Moxa?"—"A deal of humbug."—"Have you a small skull?"—"Yes, I've two."—"Will you lend me one?"—"Oh, certainly." —"By the by, where do you get your knives from?"—"From Millikin's."— "And your books?"—"I always go to Callow's."—"By the by, (whiff, whiff,) I think you havn't changed your dissecting coat, have you?"—"Hush, hush! the people about you will hear—they all think now that it's the woodcock, a little too *gamy* in the next box."—This was quite sufficient for me: I had been for some time aware of a strange odour, but I had laid it to the account of the woodcock. No sooner, however, did I discover the true origin of it, than, throwing down my money and seizing my hat, I hastily sought the open air.

I was once a good deal amused with hearing the chit-chat of two young gentlemen of the long robe. You must know, sir, that I had a sort of consin seven times removed, who used to reside in a court in the Middle Temple. Poor fellow! he could play the violin beautifully; but as for Coke and Selden, and such people—he troubled them not. Well, sir, I occasionnally visited my young relation, aad by his kind offices with the very precise lady who held the

* I have since discovered that the Surgeon receives a crown for shaving and dressing a subject previous to dissection.

key of the femple gardens, I was admitted whenever I chose to walk in that green retreat. I had seated myself, one warm's summer's evening, on one of the benches at the back of the western alcove, when two learned young friends meeting at the entrance and adjourning into the arbour. I had the good fortune to be an auditor of the following dialogue. "What, Styles, my good fellow! Why I didn't know you were back from sessions.—How did you get on?"—"Infernally, infernally! Only got four soup tikets* at——, and a single prosecution at——, Do you know of a small set of sky-parlours to let, for, by heavens, I shall be ruined!" "What, you are determined then *to rise* in your profession! ha, ha, not so lad!"—"Why you see, my dear Vidian, I don't make quite enough to pay Dinby for dressing my wig, which is rather distressing. But come—let's sit down."—(*Here the learned gentlemen seated themselves.*) "By the by, Styles, have you heard of Gillebrand's nonsuit?---allowing to bad spelling. He put an a too much in the plaintiff's name, which has cost that unfortunate gentleman about one hundred and twenty pounds. Good fun that—Gillebrand argued, that it was *idem sonans*, but the judge would not belive him—

And for ever must he dwell
In the spirit of that *spell*.

But come cheer up, my good fellow, and shew that you have some of 'the blood of the Styles'† in your veins. I dare say if you can't get *upon* the Bench, you may get *into* it—Not so bad, ah?—Oh, have you heard the new anecdote of Mr. Justice Spark, which is flying about the Temple? I told it myself to nine men this morning. You must know that when the learned Judge was on his last circuit, an unfortunate dog was tried before him for some offence that was not capital; however, as soon as the jury had brought in their verdict, Rhadamanthus seized hold of the black can and was pulling it over his tertific brows, when the officer of the court interfered, 'My lord! my lord! the offence isn't a capital one "Oh yes! very true,' said his lordship, 'but—but---you know, it's a good thing to terrify the prisoner a little,' Very ingenious that of his lordship---But why don't you laugh, Styles?'---"In fact, my dear Vidian, I am not altogether in a laughing mood. There is a cursed fellow of a tailor in New Bond Street, who threatens to maintain an *assumpsit* against me for goods sold and delivered---then the stablekeeper in Carey Street presented me the other day with a declaration, in which I find that I am charged with the hire of fifty horses, fifty mares, fifty-stanhopes fifty tilburys, and fifty dennets; and to crown all, a well dressed man who resides in Chancery-lance has got a present for me, which you and I know by the name of a Special Original. Oh what an especial fool was I to give those pills to that rascal Samuels! Heigh oh! all my perambulations are now confined to this lawyers, paradise. I have instructed the angel at the gate stoutly to deny admittance to all suspicious strangers, which she promises me."---"I am really sorry, Styles, that I can't accommodate you with a hundred or two, or any fractional part thereof; for though my grandfather died the begining of the year, yet I plead *rien par déscente*. Walter, you know, is heir in tail *secundum formam doni*, being *filius primogenitus*; and to tell you the truth. I am somewhat in the shallow myself. I confess, I have of late been studying the law of Debtor and Creditor, which appears to me require amendment exceedingly. Such have been my professional studies. In my hours of relaxation I have been conjugating the verb *to dun*—no, the passive, *to be* dunned—I am dunned, I was dunned, I shall be dunned—I am about to be dunned. But see, they have opened the gates to the public—good number to-night—that's a gentlemanlike-looking fellow that's coming towards us—who is he? "Good God! don't you know? Call a boat and help me into it—I must get into Surrey —"Here the two friends brushing hastily past me, called a boat, and as the tide was high, they easily got into it; the stranger all the while approaching with rapid strides. Poor Styles sate dejected in the boat; but Vidian politely bowed, and "hoped he should be better acquainted with the gentleman."

There is a peculiar richness and high flavour in the confidential communications of a couple of merchants. "Cottons look lively."—"Yes, but ashes are very black."---"Pray do you hold much rum?"---"Dreadful storm last night---Poor Jones! he under wrote 7000l. last week---I met him this morning looking very ill--said he couldn't sleep last night for the wind. By the way have you heard that K——has been flying kites lately?" ---Yes, I fear he will be illustrated by the King's Printer, poor K———!"

There is no small talk more necessary in the present age than *the Literary*, which is essentially requisite, at all routs, conversaziones, balls, dances, tea-drinkings, and *petit soupers*. I believe there is not the difficulty in this branch of the art, which is generally thought to exist. There is a certain set of names and phrases which may be eternally varied, and from which the most elegant literary conversation may be framed. For the benefit of my readers, I shall present them with a catalogue of the materials, which I once made for my own use. Poetry—novels---heart---imagination---distinction---severer sciences ---ancients--chivalry--Waverly--beauty--truth—nature---sublimity---simplicity---- —attractive—brilliant---elegant---Lord. Byron---power---pathos---passion---sentiment—sensibility---sweetneess---Thyrza---Haidee—Thyrza! enchanting---lovely---Don Juan—dark---depraved---perversion---abuse --like—the splendours of the infernal regions—poetical yourself!—a sonnets—a stanza—scribble verse—Richardson—Miss Aussin—Captain—Wentworth—Clarissa—Persuasion—Eliza Rivers—hateful young clergyman—quite differ with you—Isabella—heart—weep—tears—Don Carlos---German---Goethe---languages---Italy ---scenes of antiquity---associations Cicero--- "Sunny Florence"—Rossini—*Ditantipalpiti* ---ah!---Scotch airs—Burns—All an Cunningham—magazines—New Monthly---excellent---wit politeness---fancy---death---superior--Quarterly—Edinburgh—Madame de Stael—arm—beauty—eyes.

Such are the subjects upon which I us[illegible] attempt to ring the changes, when a[illegible] nymph is unfortunate enough to be in[illegible] to me at a ball.; and here let m[illegible] one very great advantage at such [illegible] cording to the modern fashion, [illegible] pelled to change your partner e[illegible] so that you may repeat what [illegible] ready said to the former lad[illegible] whether she is sufficiently dista[illegible] you. At a dinner party can se[illegible] yourself thus. But as, in case I pr[illegible] may be considerable danger of my [illegible] same trick with the reader, I sha[illegible] timely retreat, and bid him farewell!

[*Monthly Maz.*

COMMENCEMENT OF HOSTI[illegible] TIES.

We have received this morning, by express, the Paris Papers of Thursday, the *Etoile* of Thursday evening, and the *Journal des Debats* and *Pilote* of yesterday morning. Their contents are most important.

A communication was made to the Chamber of Deputies on Thursday, by Viscount DIGEON, the Minister at War, of the marching of the French army, and of a despatch from General GUILLEMINOT, dated head-quarters, Saint Jean de Luz, April 7th, half-past three in the morning.—The intelligence contained in this first despatch from the Major-General of the Army, relates to an attempt which was made on the 6th by a band of French, Italian, and Piedmontese refugees, to induce the French troops to desert. This corps of renegadoes, paraded on the opposite side of the river, displaying the tri-coloured cockade, and habited in the exact dress of the Ex-Imperial Guard. They uttered the seditious cries of "Napoleon II! the Republique! Liberty!" &c. &c, and tried every effort to debauch the fidelity of the soldiers, but in vain.

* Upon inquiry, I find that soup-tickets are *vocabula artist*, signifying briefs given indiscriminately by the town clerks, &c. at sessions.

† The genealogical three of this noble family may be seen fully set out in the second volume of Blackstone's Commentaries.

A piece of artillery was brought forward, and three rounds discharged, which killed and wounded several, after which they withdrew. Our readers will find, in an extract from the *Etoile* of Thursday evening, an interesting letter, giving all the details of this affair.

It would be ridiculous & premature to assume any final result of the campaign from the mere fact of the unobstructed entrance of the French army. Their advance upon Madrid may take place without firing another gun; they may even entrench themselves in the Capital; and yet, find much to do ere they bring the war to a close.

The French Funds continue to rise. On Thursday they left off at 84f. 10c. but after the business of the day was concluded, they experienced, we understand a further advance of a quarter per cent. being quoted at 84f. 35c.

(FROM THE ETOILE OF THURSDAY EVENING.)

"A letter which we have received from the army of Spain, the authenticity of which we can guarantee, contains the following details respecting the affair which was communicated this day to the Chamber of Deputies:—

"Seventy or eighty deserters, French, Italian, and Piedmontese, among whom were seen several from our own ranks, presented themselves to-day, about noon, at the Pas de Behobie. These troops marched in good order, under their enormous tri-coloured flags, and ranged themselves in order of battle, before the mansion of the Spanish Custom-house officer. They were armed and clothed exactly in imitation of the Ex-Imperial Guard. At the same moment, the whole of the Spanish regiment called the Union, formerly the Imperial Alexander, and about five or six hundred strong, crowned the heights which cover Irun beyond the mountain of St. Martial.

"'These deserters, from the moment of their arrival, sung seditious songs, and alternately invoked, in their fury, NAPOLEON II., the Republic, the Constitution, and Liberty. They repeatedly hailed, as comrades and old brethren in arms, the officers and soldiers of the 9th Light Infantry, inviting them to come and join them. The leaders placed themselves in front, in order that they might be better heard at the French posts. The latter maintained a profound silence; but their impatience was extreme. The cheerings and incitements continued a considerable time. General VALLIN ordered the advance of a piece of Artillery.

"This demonstration did not at all daunt the factions. They redoubled their violence, and in their vociferations were heard the cries of 'Vive the 9th Light Infantry, and Vive the Artillery!' They paid dearly for this insult. Gen. VALLIN unable longer to restrain his indignation and that of the brave men whom he commanded, ordered them to fire on the traitors Three discharges of cannon were successively fired to the cries of '*Vive le Roi*!' and a few musket shots, threw into disorder this band of foreigners, among whom France had the misfortune to reckon many of her children. Six of the rebels fell dead upon the spot, and others were wounded; three of them mortally.

"Some soldiers who passed to the other side to entrench the houses which stood there, brought back a French deserter wounded, who declared that the Chiefs assured him 'that the French soldiers would not fire on them, but that the first troops they encountered would eagerly range themselves under their colours.' There were found upon him, as well as upon those who were dead, proclamations and tri-coloured cockades, which they were ordered to distribute as soon as they were joined by our soldiers.

"One of the Chiefs, it is said, is among the number of the dead, but his name is not known. Neither is it known whether NAUTIL, LAMOTTE, and FAVIER, were with this troop, which, according to information received, was commanded by one LEGROS.

"The Imperial Regiment, Alexander, remained tranquil spectators of this affair, and retired, as soon as the deserters took flight.

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